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ABSTRACT

These hearings on the Senate Select Committee on Nutrition and Human Needs are organized in two parts, the contents of which are as follows. Part I concerns the Summer Lunch Program Funding, with opening statements by two senators, followed by the presentations of other witnesses. The focus of these two parts is on such topics as program needs, national priorities, hunger and child development, U.S. Department of Agriculture guidelines, and the Head Start program in Newton-Waltham, Mass. Part III is an "appendix" comprising items pertinent to the testimony presented in Part I. These items include miscellaneous articles, tables, and publications relating to the Special Food Service Program for Children, personnel involved in the development of sponsor and site handbooks for special summer programs, and an evaluation of the Summer Feeding Programs during the Summer of 1971. Part IV is an "appendix" comprising items pertinent to the testimony presented in Part II. The contents of this appendix include articles from the "New York Times," a letter from the New York City Agency for Child Development, a letter from the Arizona Early Childhood Council, and the text of a proposed amendment to the National School Lunch Act. [Twenty-four photographs have been deleted from this document as they will not reproduce.] (JM)

ED 073179

NUTRITION AND HUMAN NEEDS—1972

HEARINGS

BEFORE THE

SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

OF THE

UNITED STATES SENATE

NINETY-SECOND CONGRESS

SECOND SESSION

ON

NUTRITION AND HUMAN NEEDS

SECTION 13 FUNDS: SUMMER LUNCH-PRE-SCHOOL FEEDING

WASHINGTON, D.C., APRIL 7; JUNE 21, 1972

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OFFICE OF SENATOR GEORGE McGOVERN

THURSDAY, APRIL 6, 1972.

NUTRITION COMMITTEE CALLS HEARING ON FUNDING FOR THE SUMMER LUNCH PROGRAM

Senator George McGovern (D–SD), Chairman of the Select Committee on Nutrition and Human Needs, announced today that Senator Alan Cranston (D–Calif.) will chair a hearing on the funding for this year's Summer Lunch Program.

Although only in its 4th year, the Summer Lunch Program is a rapidly growing and very popular program in urban areas across the Nation. Under this program, the same needy children who are eligible to receive free lunches during the school year will also receive free lunches as part of an on-going summer recreation program.

Last year the Department of Agriculture urged the cities to expand their Summer Lunch Programs, and then—at the 11th hour—announced that there was not enough money to fund the programs they had promoted. All across the country, cities were caught with commitments to community groups and food providers for programs that were suddenly without funds. Congress reacted swiftly and decisively by providing the regular authorization for the program, plus the authority to spend up to $135 million to relieve the crisis of the Summer Lunch Program. Despite this Congressional mandate, the OMB held up the necessary funds until mid-July—weeks after the programs were to have begun.

The situation is similar this year. Because the program was so well received last year, the cities wish to participate again. More money will be needed to operate this program for an entire summer—to include children who were left out while the funds were being withheld and, in other cases, to begin new programs for the first time.

The additional $135 million that Congress made available to relieve last year's summer lunch funding crisis was never utilized for the program, thus it is still available for that purpose. Moreover, additional monies will be available under Section 32 because the import tax imposed under Phase II has generated funds neither anticipated nor committed by Congress earlier in the year. Once again—at the orders of the Office of Management and Budget—USDA is refusing to feed our urban children over the summer months.

As Senator Cranston states in his opening remarks:

> The decision not to fund this program is a moral outrage. The same Department urges higher food prices and then refuses to feed the children, whose families cannot afford them. We are witnessing Phase II of this administration's broken promises to needy children.

The hearing will open with a brief film showing the programs in operation last year. The film was produced by Mr. Harvey Stevens of the ARA, Inc., a food service company. Mayor Stephen May of Rochester, N.Y., will testify on behalf of the 15,000 cities represented in the National League of Cities and Conference of Mayors. Program representatives who will also testify are Arnold Robles of Los Angeles, William Nugent of Detroit, and Steve Cohen of Boston.

Mr. Edward Hekman, administrator of the Food and Nutrition Service, and Mr. Gene Dickey, chief of the Program Operations Branch for the Child Nutrition Division, will testify on behalf of the Department of Agriculture.

The hearing will take place in Room 457 of the Old Senate Office Building, at 10 a.m., Friday, April 7.

SUMMER LUNCH PROGRAM FUNDING

FRIDAY, APRIL 7, 1972

U.S. Senate
Select Committee on
Nutrition and Human Needs
Washington, D.C.

The Select Committee met at 10 a.m., pursuant to call, in room 457 of the Senate Office Building, the Honorable Alan Cranston, presiding.

Present: Senators Cranston, Percy, and Bellmon.

Staff members present: Nancy Amidei, professional staff; Vernon M. Goetcheus, senior minority professional staff; and Elizabeth P. Hottell, minority professional staff.

Senator Cranston. The meeting will come to order.

OPENING STATEMENT BY SENATOR CRANSTON, PRESIDING

Senator Cranston. I would like to say, at the outset, that I regret that this public hearing of the Select Committee on Nutrition and Human Needs on the National Summer Lunch Program is necessary.

It is necessary, however. Despite the clear desire of Congress that this vital program for the Nation's cities be properly funded and administered, it now appears that the administration, motivated solely by false budgetary considerations, is refusing to give cities all across the country the kind of support they need to feed millions of needy youngsters this summer.

Last summer, the Congress faced the same kind of budget cutting by the Office of Management and Budget. Through intense pressure, Congress was finally able to force more funds to be spent on the program. Unfortunately, most programs did not get started on time, and children went without proper nutrition for several weeks.

This year we hope, as a result of these hearings, that all programs will be able to commence on time and all children will be fed.

The issues before us today are not complicated.

Last year, the U.S. Department of Agriculture finally allocated $29 million to these summer feeding programs. This year the Department is proposing to spend only $25.5 million.

Greater Need for Program

This cutback comes in the face of an even greater need for the program this year than last. This committee, in cooperation with the National League of Cities and Conference of Mayors, recently conducted a survey to determine the level of funds that could be "effectively utilized" by cities desiring to operate summer programs.

On the basis of this survey alone, we estimate that cities could effectively utilize $52.5 million this summer—or about double what the Office of Management and Budget and the Department of Agriculture are willing to commit.

Private appeals have been made to get this arbitrary and unreasonable funding ceiling lifted. But these appeals have fallen on deaf ears. Their response has been "that the funds are simply not there."

This, simply, is not true. And, furthermore, it is in direct contradiction to congressional intent as expressed in special legislation passed last year.

Last year, in response to this budgetary argument, Congress enacted Public Law 92-32 authorizing the USDA to use as much as $135 million from section 32 for the summer lunch program.

Those funds have been impounded by the Office of Management and Budget. They were never used for this program.

Not only have those funds never been used; but the Section 32 fund has been increased recently by approximately $200 million more than anticipated because of the import surtax imposed by the President under phase II of his economic program.

The decision not to fund this program is a moral outrage. This same Department urges higher food prices and then refuses to feed the children whose families cannot afford them. Incidentally, figures I noted this morning in the New York Times indicate that in February the cost of food climbed at an annual rate of 22.4 percent. What we seem to be witnessing is phase II of this administration's broken promises to needy children.

Clearly, the money is there to feed our children.

Clearly, cities all across the country are ready, willing, and able to use that money effectively.

And, clearly, there can be no excuse for the administration and the Office of Management and Budget to continue to impound that money.

The effect of that impoundment will be testified to, this morning, by Mayor Stephen May of Rochester, N.Y., speaking on behalf of the Conference of Mayors and the League of Cities, as well as by representatives of Los Angeles, Detroit, and Boston—cities all being badly hurt by the impoundment.

Before we proceed with the film, Senator Percy, do you have any opening statement?

STATEMENT BY SENATOR PERCY

Senator PERCY. I have no prepared statement, Mr. Chairman. I would like to say, first, that as you probably know today is World Heart Day, and I am scheduled to be on the floor in another 5 minutes with Senator Kennedy in connection with the National Blood Bank Act. We are voting at 10:30, so we will be interrupted somewhat this morning.

I regret I will not see the film, but I would like to say to Mr. Stephens that I do have a motion picture sound projector at home. If you could loan me the print over the weekend, I would like very much to see it. I understand it is an outstanding film, and I would like very much to screen it. I will be back for the latter part of the hearing.

For the record, I would like to say, first of all, that no administration has done more to feed the hungry in this country than this administration. Those are not my words, but the conclusions of the chairman of our committee, Senator McGovern. I think it was a gracious and magnanimous thing for him to say. Now, that does not mean to say that this committee has not helped the administration achieve that objective, and it does not mean that we should let up one bit or that the administration should rest on its laurels, because that record can easily be blemished by inactivity in certain areas. Certainly, it has been necessary for us to remind the administration of priorities such as feeding the elderly, and we fought through on the floor of the Senate bills that would not have been carried into law if we had not assumed the leadership in those areas. Certainly the summer feeding program for children must have a high priority.

NO HIGHER PRIORITY

There are constant demands being made for Federal funds, and there is a shortage of funds. We are the advocate for the hungry, and this committee has been a most outspoken advocate. We intend—and we hereby serve notice—that we are not going to be shoved into second place, and we are going to fight to keep the administration in the forefront of this field in feeding the hungry and closing the hunger gap—we are not going to let up one single bit. We are not going to wait for the heat of the summer to realize where the priority is. We will anticipate human need, not in response to the loudest voice that shouts for it, but with solid evidence that this is the best investment that the U.S. Government and its people can possibly make. Name any priority of need higher than this one in the magnitude of its impact upon a people. This is an investment that you can never ever recover if you do not make it. Because what do you do to an injured brain; what do you do to an injured body; how do you ever make up for it when you get the funds 5 years from now? What happens to the children and the adult population in needy families?

So I fully concur with the sense of urgency depicted by Senator Cranston, our chairman today. I feel it is absolutely necessary that we hold these hearings, though I regret the necessity of holding such hearings. It should have been self-evident these programs should have been fully funded. Thank you, Mr. Chairman.

Senator CRANSTON. Thank you, Senator Percy, for that very strong statement indicating your own dedication and commitment to feeding hungry children.

We will now start by watching a heartwarming film of last year's summer feeding program produced by ARA, one of the many food services programs involved in the program. This film documents the success of the Summer Lunch Program, records the methods of food distribution and stresses the positive nutritional and educational value of the program.

We show this film, not to endorse any particular company, but because it tells in a very human way what the dollar figures we are discussing today really mean.

[The film, produced by ARA Services, Inc., was shown.]

ARA SERVICES, INC.

INDEPENDENCE SQUARE, WEST   PHILADELPHIA, PA 19106   (215) WA 3-7700   TELEX - 831424

FILM SHOWING: "OUR SUMMER CHILDREN"

Presented at the Senate Select Committee on Nutrition and Human Needs at 10:00 AM on April 7, 1972 in Room 457 of the Old Senate Office Building.

Sponsor: Harvey T. Stephens
Executive Vice President
ARA Services, Inc.
Independence Square West
Philadelphia, Pa. 19106

The Film's Content

"Our Summer Children" is a documentary report of the Summer Enrichment Programs that are federally funded and operated by sponsoring agencies of the community or a civic park and recreation department.

The implementing directive of the Department of Agriculture for this special food service program authorizes sponsoring agencies to contract with a food service management company to prepare and deliver the meals. During the summer of 1971, ARA Services, Inc. provided 20 million meals for children in these programs in 60 cities.

The film presents the views of civic and community leaders on the need and operation of the programs, shows the interraction of children with recreation workers, records the methods of food production, distribution and accounting, and stresses the positive nutrition and educational value of the lunch component of the total program.

Filmed in New York City, Detroit, Washington, Jersey City and Richmond, it covers most of the considerations faced by communities of any size or geographic location in conducting imaginative yet practical recreation programs.

The Film's Purpose

1. To educate viewers on the essentials of community organization and the ingredients of a successful lunch program.
2. To stimulate continuity of nutrition and to provide nutrition education.
3. To demonstrate a food service management company's involvement and capability in serving the public welfare.

Senator CRANSTON. First, on behalf of the committee, I want to thank ARA and Mr. Frank Marshall, producer of the film. I also want to apologize for the fact that the Senate vote at 10:45 is not going to allow us time to discuss the film. I believe we had better proceed with the first witness. We have a large number of witnesses today.

I would like to welcome Senator Bellmon. Do you have any opening remarks?

Senator BELLMON. I do not.

Senator CRANSTON. Our first witness is Mayor Stephen May of Rochester, N.Y. Mayor May, we welcome you. Would you please introduce those accompanying you.

STATEMENT OF HON. STEPHEN MAY, MAYOR OF ROCHESTER, N.Y., ON BEHALF OF THE NATIONAL LEAGUE OF CITIES AND THE U.S. CONFERENCE OF MAYORS; ACCOMPANIED BY REECY DAVIS, SUMMER YOUTH OPPORTUNITY PROGRAM COORDINATOR, ROCHESTER, N.Y.

Mayor MAY. Thank you, sir.

Mr. Chairman, members of the committee, I am Mayor Stephen May of Rochester, N.Y.; and the man on my right is Reecy Davis, who is the Summer Youth Opportunity Program coordinator for the city of Rochester. He has been on the firing line in preparing and administering a Special Food Service Program for the summer in Rochester.

I am here, today, to testify about this program on behalf of the National League of Cities and the U.S. Conference of Mayors, as well as my own city of Rochester.

PROGRAM BRIDGES THE GAP

For the past several summers, the Special Food Service Program has provided an invaluable service in many of our Nation's cities. Designed by Congress to complement the School Lunch Program by bridging the gap between the close of school in June to its reopening in September, this program has provided thousands of inner-city youngsters with at least one substantial, nutritious meal each day.

Since its inception, the League of Cities and the Conference of Mayors have enthusiastically supported this program. I wish to bring home, once again, the reality of human needs in our cities; and to underscore the vital importance of strong, healthy, happy productive young people to the well-being and future of our Nation.

Basic to constructive rewarding life experiences for the youth of America is a regularly available, nutritious diet. In that regard, I appear here to remind you of the responsibility placed in the hands of public officials at all levels of government who are, by the very nature of their positions, entrusted with the future of the young people who are our Nation's greatest resource.

The League and the Conference feel duty bound today, not only to reaffirm our support for this vital program, but to bring to your attention and the attention of the public, a recent decision by the Department of Agriculture which seriously threatens the impact of effectiveness of the program for the summer of 1972. It is a matter of concern to all of us entrusted with urban responsibilities that Deputy Assistant Secretary Philip Olson has informed the League and Conference and, I gather now, this committee, that after tapping every available funding source, the Department is able to provide only $25.5 million for the program this summer. We view this as an entirely inadequate figure. Not only is it $4 million below last year's level of expenditures, as we understand them, but it falls nearly $27 million short of a conservative estimate of the needs of communities participating in the program.

I do not need to remind this committee of the record of the Department of Agriculture in funding and administering this program. In 1969, the program's first year, only $3 million was spent. By 1970, the figure had increased to $8 million. Based on the successful results of the summer of 1970, many regional officials at USDA urged cities to expand their programs for the summer of 1971. However, when June of 1971 arrived, Agriculture informed Congress that the total national needs had not expanded and that once again only $8 million would be needed.

Deeply alarmed, the League of the Conference made a quick check and verified a national need of $33 million. Mayors Roman Gribbs of Detroit and Kenneth Gibson of Newark testified before this committee on June 25, 1971,[*] and stated that: "The Federal Government has left us holding the bag. They have urged us to man the serving lines and then, in effect, have closed the kitchen. They have told us now that we will be fortunate to serve as many youngsters as we served last year."

Delays Caused Irreparable Damage

Following strong and active pressure from both the Congress and the cities, the administration finally released $29 million. But what I want to emphasize is: that for many cities the delays caused irreparable damage.

My own city of Rochester—New York's third largest—was among the less fortunate. After building up high hopes for accommodating up to 14,000 children daily in June, original plans had to be cut severely when Rochester was initially awarded only $56,000. When the Federal Government finally made a substantially larger amount available in July, it was impossible to reorganize totally the food-program workers and to locate eligible inner-city youngsters. At that point Rochester was able to gear up and effectively utilize approximately $185,000 to provide an average of 5,500 lunches per day.

Program sites in the summer of 1971 included playgrounds, tot lots, drop-in centers, youth centers, remedial education programs, and arts and crafts programs. All sites served were in central city, low-income areas with resident populations of poor whites, blacks, and Puerto Ricans.

The uncertainty of funding made site selection and supervision almost impossible, disrupted the planning process, hampered coordination, impeded training of site staff, and complicated arrangements for ordering and delivering food.

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[*] "Part 6—Summer Feeding Program and USDA Decision To Withhold Funds for Section 32"; hearings of June 25 and July 22, 1971, before the Select Committee on Nutrition and Human Needs.

In addition to the critical need for early funding, Rochester's program requirements for 1972 should include expansion of the program to serve an average of 8,400 youth per day, funds for a coordinator, trucks and drivers for cleanup, and printed training materials. This comes to a total of, roughly, $234,000. The comprehensive approach represented by this year's proposal will, of course, prove much more effective if adequate and early funding is assured.

I would have to say that in spite of all these problems we had a rather successful lunch program last year. This, despite the late and uncertain funding, which, as I've indicated made a logical planning process almost impossible. On touring several sites, I was personally impressed with the enthusiasm of the children and capabilities of the staff. Our Summer Youth Opportunity Program coordinator, Reecy Davis, has told me:

> If it had not been for the Special Summer Food Program, in conjunction with our Summer Youth Opportunity Program, many of our children would have gone through another summer hungry and idle. And, we all know that a hungry, idle child is a nonproductive child. But, money alone is not enough if it doesn't arrive in time to be used right.

I would like to cite a few statistics which illustrate the end-of-the-season peaking trend. In Rochester, 94,324 lunches were served in July and 155,094 in August. Consumption ranged from a low of 3,720 lunches served on July 12, soon after the program began, to a high of 8,700 lunches on August 5.

INJUSTICE . . . AND DISSERVICE

To expect the funds which provided for an average of 5,500 lunches per day last year to suffice for this year—when it is clear that some 8,500 lunches per day in August was a steady pace—represents an injustice to thousands of eager, needy children. It also represents a disservice to those dedicated people at the local level who managed, under serious handicaps, to conduct successful programs and generate increasing interest and attendance as the summer progressed. Rochester's Summer Youth Opportunities Program staff feels that the Summer Lunch Program immeasurably enhanced their total capability—which reinforces the case for strengthening the food program this year.

In the face of documentation from cities all across the country and as an apparent extension of their unfortunate record, the Department of Agriculture now proposes to limit this year's funding levels to last year's expenditures. Since far more youngsters were being fed at the end of last summer than at the start, the Department is, in effect, telling us that we will not be able to serve as many children as were fed last summer. Once again, it appears the Nation's mayors and Congressmen must take strong action to insure that this vital program is funded at a proper level.

Because of concern about the apparent inability of the Department of Agriculture to provide realistic need figures, the League and the Conference have conducted a survey in all 50 States. The results of the survey* are submitted with this testimony.

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*See pp. 423–425.

Based on last year's experience and the high level of need which was identified by late summer, the survey indicates that $52.4 million is needed for the 1972 Summer Lunch Program. That is, of course, $26.9 million more than the Department of Agriculture claims is available.

Nevertheless, we feel this figure, if anything, is conservative for two reasons.

1. Identification of eligible younsters is a difficult process, and one which would only rarely locate all eligible children.
2. The respondents who are both State and local officials, were not asked their total needs; but instead, the amount of money their cities could effectively utilize.

Agriculture's record in funding and administering the Special Food Service Program hardly inspires confidence about this year's projections. Once again, the Department has demonstrated an inadequate appreciation of the urgent needs of inner-city children.

Mr. Chairman, responses to needs of poor, hungry children should have top priority on the agenda of all conscientious public officials. The need for an additional $26.9 million to provide nutritionally adequate meals for ghetto youngsters has been documented.

Surely it is unconscionable for a Nation as affluent, progressive, and resourceful as the United States to allow hunger to plague thousands of its young people; sap their strength, erode their abilities, and deny them equal opportunities to achieve. A tangible opportunity to prove our commitment to a just and humane society is provided by the Special Food Service Program. This can help ease the link between poverty and poor health—caused by improper diets and sheer lack of food.

I urge you, on behalf of the National League of Cities and the U.S. Conference of Mayors, to respond quickly and affirmatively to this urgent request. We can fulfill the great and good promise of this realistic far-sighted program if adequate funding is guaranteed in advance.

By responding to demonstrated need you can provide happier, healthier summers for thousands of inner-city youngsters—and more stable tranquil communities as a result.

SPECIAL FOOD SERVICE PROGRAM

	Fiscal year 1972 need			Fiscal year 1972 actuals			Fiscal year 1973 need, summer 1972
	Summer 1971	Balance of year	Total	Summer 1971	Balance of year	Total	
Region I:							
Connecticut	$52, 000	$180, 000	$232, 000	$52, 000	$108, 247	$160, 247	$52, 000
Maine	78, 180	63, 512	141, 692	100, 000	37, 290	137, 290	78, 180
Massachusetts	189, 507	520, 000	719, 507	205, 000	90, 000	295, 000	300, 000
New Hampshire	7, 216	56, 512	63, 828	21, 155	56, 512	77, 677	15, 000
Rhode Island	31, 902	57, 136	89, 038	60, 355	40, 652	101, 007	17, 250
Vermont	14, 243	69, 839	84, 082	26, 946	69, 839	96, 785	45, 030
Regional total	383, 048	946, 999	1, 330, 047	465, 456	402, 540	867, 996	507, 460
Region II:							
New Jersey	1, 475, 644	425, 690	1, 901, 334	1, 475, 645	286, 850	1, 762, 495	2, 000, 000
New York	4, 300, 000	887, 000	5, 187, 000	4, 147, 000	687, 000	4, 834, 000	12, 000, 000
Regional total	5, 775, 644	1, 312, 690	7, 088 334	5, 622, 645	973, 850	6, 596, 495	14, 000, 000
Region III:							
Delaware	22, 400	113, 612	136, 012	22, 400	113, 612	136, 012	33, 600
District of Columbia	1, 214, 000	216, 000	1, 430, 000	1, 192, 212	140, 000	1, 332, 212	1, 356, 800
Maryland	1, 000, 000	165, 816	1, 165, 816	790, 222	170, 076	960, 298	1, 500, 000
Pennsylvania	1, 305, 322	716, 388	2, 021, 710	1, 305, 322	480, 000	1, 785, 322	1, 566, 300
Virginia	2, 500, 000	773, 504	3, 273, 504	810, 000	520, 000	1, 330, 000	3, 000, 000
West Virginia	152, 320	132, 000	284, 320	258, 947	88, 000	346, 947	182, 800
Regional total	6, 194, 042	2, 117, 320	8, 311, 362	4, 379, 103	1, 511, 688	5, 890, 791	7, 639, 500
Region IV:							
Alabama	545, 000	372, 000	917, 000	635, 000	248, 000	883, 000	654, 000
Florida	590, 000	1, 263, 000	1, 853, 000	868, 659	620, 888	1, 489, 547	590, 000
Georgia	1, 360, 000	1, 341, 024	2, 701, 024	1, 256, 000	1, 250, 000	2, 506, 000	1, 632, 000
Kentucky	730, 784	624, 923	1, 355, 707	403, 438	487, 033	890, 471	730, 784
Mississippi	200, 000	267, 521	467, 521	644, 224	192, 383	836, 607	498, 000
North Carolina	995, 307	1, 272, 197	2, 267, 504	773, 912	1, 109, 106	1, 883, 018	1, 100, 000
South Carolina	189, 984	568, 800	758, 784	567, 445	31, 200	498, 645	189, 984
Tennessee	800, 000	712, 652	1, 512, 652	800, 000	445, 000	1, 245, 000	800, 000
Regional total	5, 421, 075	6, 422, 117	11, 833, 192	5, 948, 678	4, 383, 610	10, 332, 288	5, 421, 075

SPECIAL FOOD SERVICE PROGRAM—Continued

	Fiscal year 1972 need			Fiscal year 1972 actuals			Fiscal year 1973 need, summer 1972
	Summer 1971	Balance of year	Total	Summer 1971	Balance of year	Tota	
Region V:							
Illinois	2,500,000	633,000	3,133,000	2,100,000	627,090	2,727,090	2,257,940
Indiana	75,078	467,448	542,526	455,009	312,000	767,009	90,100
Michigan	1,330,000	346,000	1,676,000	1,325,851	346,000	1,671,851	2,697,456
Minnesota	815,512	540,148	1,355,660	292,827	541,280	834,107	978,612
Ohio	181,759	896,000	1,077,759	938,918	298,000	1,236,918	218,000
Wisconsin	170,000	620,000	790,000	178,387	620,000	798,387	204,000
Regional total	5,072,349	3,502,596	8,574,945	5,290,992	2,744,370	8,035,362	6,446,108
Region VI:							
Arkansas	27,370	236,720	264,090	297,859	178,000	475,859	90,000
Louisiana	1,172,900	1,123,000	2,295,900	600,000	501,435	1,101,435	5,584,000
New Mexico	45,336	162,520	207,856	75,000	115,000	190,000	66,000
Oklahoma	588,000	241,615	829,615	345,000	269,239	614,239	705,000
Texas	1,265,000	740,000	2,005,000	1,229,000	494,000	1,723,000	1,265,000
Regional total	3,098,606	2,503,855	5,602,461	2,546,859	1,557,674	4,104,533	7,710,000
Region VII:							
Iowa	90,000	196,800	286,800	133,365	106,489	239,854	133,365
Kansas	54,810	112,190	167,000	118,837	112,190	231,027	62,814
Missouri	701,350	1,990,000	2,691,350	923,541	936,000	1,859,541	755,000
Nebraska	83,732	92,000	175,000	104,481	92,000	196,481	101,300
Regional total	929,892	2,390,990	3,320,882	1,280,224	1,246,679	2,526,963	1,052,479

Region VIII:							
Colorado	200,000	320,000	520,000	58,610	182,941	241,551	200,000
Montana	5,236	46,400	51,636	60,911	31,000	91,911	5,236
North Dakota	5,800	36,000	41,800	102,310	24,000	126,310	5,800
South Dakota	82,000	20,400	102,400	135,045	13,800	148,845	82,000
Utah	24,000	43,000	67,000	74,763	87,020	161,783	24,000
Wyoming	6,350	21,600	27,950	6,350	16,794	23,346	15,000
Regional total	323,386	487,400	810,786	437,989	355,555	793,544	332,036
Region IX:							
Arizona	46,434	198,000	244,434	46,434	132,000	178,434	55,500
California	7,082,130	459,820	7,541,950	2,988,300	478,708	3,467,008	8,498,530
Hawaii	69,517	62,977	132,494	60,434	62,977	123,411	83,500
Nevada	11,851	43,560	55,417	26,524	29,600	56,624	14,000
Regional total	7,209,938	764,357	7,974,295	3,121,692	703,285	3,824,977	8,651,530
Region X:							
Alaska	0	4,000	4,000	64,525	4,000	68,525	0
Idaho	15,373	58,864	74,237	46,310	39,200	85,510	15,373
Oregon	70,500	124,064	194,564	98,393	81,000	179,393	75,000
Washington	212,200	225,656	437,856	212,145	150,200	362,345	600,000
Regional total	298,073	412,584	710,657	412,373	274,500	695,773	690,373
National total	34,706,053	20,860,908	55,586,961	29,515,011	14,153,651	43,668,662	52,450,561

Note: List does not include Puerto Rico, Virgin Islands, Samoa, or Trust Territories.

Senator CRANSTON. I thank you very much for your appearance and your very constructive and interesting testimony. I understand you were a participant in the recent Conference of Mayors held here in Washington. What was the sentiment of those mayors regarding the Summer Lunch Program?

Mayor MAY. I do not think there is any question, Mr. Chairman, about their enthusiasm for the Summer Food Program as an integral part of the job and recreation programs, which we need so desperately in our cities. It was the subject of a meeting between administration officials and a special delegation from that conference at which summer food programs, jobs, and recreation opportunities were discussed.

So it is high on our agenda and I think it is fair to say it has strong support from the mayors of all cities of any considerable size.

HOW EFFECTIVE ARE PROGRAMS?

Senator CRANSTON. Can you estimate the general sentiment of the cities participating in the Summer Lunch Program about the need for careful administration of the program? Also, how effectively the programs are being conducted?

Mayor MAY. Well, I believe you have to put that in the context of the difficulty of planning, and putting together an administrative staff, when you have this off-again-on-again funding situation.

For example, our program was launched on July 6, which was the very day we learned that rather than having $56,000, we were going to have considerably more available. To find staff and train them and to administer a program with precise efficiency at that late juncture is a well nigh impossible task. We are, of course, dealing in much of our staffing with indigenous people from the area who can best, it seems to us, work in distributing the food and so on.

At least—from my experience and in the context of the built-in difficulties of the whole program—I believe it has been rather ably administered. If we know, well enough in advance, how much we are going to have, we can go upward from there in terms of the efficiency and the effectiveness of carrying out this program.

Senator CRANSTON. So that I will not miss that rollcall but that we can keep moving, Nancy Amidei, of the committee staff, will ask the questions that I wish to ask you. We will then continue with the next witnesses; and, when he returns from voting, Senator Bellmon will carry on.

Miss AMIDEI. Would you say something for a moment about the fact that the League of Cities might be able to play a role in monitoring and auditing programs this year, or do you feel there is any problem with the cities themselves being involved in monitoring or auditing the programs during the course of the summer?

Mayor MAY. I can only speak from experience in my own city. I am reasonably satisfied that within the context I have just outlined—of the difficulties of setting up the program and planning for it with the funding uncertainties—it was effectively carried out. The food got to the kids who were supposed to get it, there was a minimal waste of food, and the program was, therefore, on target.

I have no hesitancy about welcoming anybody who wants to come into my city to monitor it, or see how effectively it is being carried out.

I am not quite sure what the most effective mechanism for doing that would be.

Miss AMIDEI. There was a story in the Washington Post* you might have noticed this morning that made some comment about irregularities in the program in New York City. Would you be able to comment on that for us for the record?

Mayor MAY. I speak for John Lindsay on lots of items with our State legislature, but I really can't speak for New York City on this program.

Might I suggest that if you can hold your record open, I would be glad to contact New York City officials to give them an opportunity to explain some of the very special problems they have in distributing food in that huge, highly congested city.

We all realize that New York City in many ways is a different world. Some of the problems which would differentiate the way we distributed food in Rochester and the way they did it in New York City would epitomize that. I would be glad to get materials from them which would respond to whatever concerns were expressed about the New York City program.

Miss AMIDEI. Thank you. We will be glad to hold the record open for materials on New York City's program. Just one last question from the Senator. Does the Conference of Mayors, U.S.-League of Cities have any suggestions it would like to make either directly at this moment or for the record about how the program might be improved from their point of view, suggestions about the apportionment formulas, or procedures about the program? We would like to have you comment on that.

Mayor MAY. In the material submitted to you, there are the results of our survey of the 50 States, not in terms of need, but rather in terms of the amounts which the communities felt they could effectively distribute. I think it is a fairly realistic figure based on past experience. But, it is conditioned on the fact that the amount of funding will not only be adequate, but that the dollar amounts will be known early in the ball game, so that effective planning can begin.

Mr. Davis might want to comment on the timing problems. I would assume that it is crucial that the cities know by early May if they are to gear up effectively to carry out a good program. Do you want to comment?

EARLY PLANNING NECESSARY

Mr. DAVIS. Yes. Basically the planning process is what really guarantees a good program, a very effective program within the city. Late funds create quite a difficult problem because of the fact that we have many, many sites to serve. We have to coordinate these sites, dropoff times, dropoff points, and training of the staff on each one of the sites so they can deal with the problems that you run up against with children whom in the past, have not received balanced lunches.

There is a process you must go through in order to teach children, the importance of a balanced meal. If a child has never had milk, and if you don't work with that child, you can produce and provide the milk but the child could throw it away. Early planning would help eliminate some of the problems so we could set up a training process and be able to get working with the children.

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*See Appendix 1, p. 589.

Mayor May. I think the point he is making is that in my city a Puerto Rican youngster may not be accustomed to have milk as an integral part of his diet. In order for the staff, who are drawn from the neighborhood to educate that youngster adequately on the importance of drinking milk, you need to have some training for the staff; and, you need to have some time to work with the kids. Or, maybe, if a salad for a black kid is not a normal part of his diet, it takes a little more training to bring that message home.

Again you need some advance time to select your staff and train them so that the food will really be eaten. That, I think you will agree, will happen if we have a chance to get the message across.

Miss Amidei. Before we call the next witness, could Mr. Davis comment how you related to community groups through this program and whether or not they were directly involved in it?

Mr. Davis. In the city of Rochester, 50 percent of the summer programs which we conduct are operated by community groups.

Miss Amidei. Community, not city-operated?

Mr. Davis. Yes. They are funded through city of Rochester governmental resources and coordinated by the city of Rochester. But, over the past 3 years we have set up a program that gets the community involved enough to begin to train them to write and implement their own programs. So, for instance, we have 21 tot lots that are operated by neighborhood mothers and youth within the neighborhood. They implement their own programs.

Miss Amidei. Could you describe for the record what a "tot lot" is?

Mr. Davis. Tot lots are for 2-, 3-, 4-year-olds—small tots, as we call them. Most of our programs within the city of Rochester are operated by community groups, agencies, and organizations. So, therefore, our lunch program also is operated by the community.

Miss Amidei. One last question.

The procedure that you have just described very briefly—of getting together with community groups, orienting the children toward the program's educational benefits, and keeping the records and so forth—takes a great deal of city time and that very often means that the city itself has to contribute personnel, time, and cost to the operation of a program like this.

Can you comment just a little bit on that? I know you don't get any special money for it, so——

Mayor May. It is a matter of our existing staff extending themselves that much further, plus the use of some people who are added specifically for the summer. Perhaps Mr. Davis can give you some figures.

Mr. Davis. We have, with the City-County Youth Board, which implements the city's Summer Youth Opportunity Program, during the summer, seven additional people who are used to monitor programs and troubleshoot. In other words, they go out and talk with the community people as to how they should handle their finances, their Social Security, staff administration, and that sort of thing. Other than that, the programs just include regular city staff and cooperation among city department heads in order to help generate all the community participation we can get.

Mayor MAY. May I emphasize in closing, Madam Acting Chairman, the fact that the food program is only a part of the overall effort which is so important in our cities for our young people. I hope that this committee—which has been such a great advocate for the nutritional needs of the Nation—would, in whatever report or efforts it undertakes, not only advocate the extension, expansion and early funding of the food program; but, also help us in the cities with an expansion of the Neighborhood Youth Corps and other programs which will give our kids the productive and healthy summers which are crucial to stability and tranquility in the Nation's cities.

Miss AMIDEI. Senator Bellmon has returned from voting and I will turn the Chair over to him. Senator Bellmon.

Senator BELLMON. Mayor, I missed part of your testimony, but there were a couple of points you raised while I was here. I would like to ask you to enlarge upon.

On page 2 of your testimony, you mention that you planned for 14,000 children and then the funds were cut back to $56,000—that it would take care of an average of 5,500 per day.

On page 3 you mention that this year you are planning—that is 1972—to take care of 8,400. Why the reduction from 14,000 down to 8,400? You planned on 14,000 last year. This coming year you plan on 8,400.

Mayor MAY. This number, 14,000, was a figure of need. The question is how you can effectively distribute it in target areas without waste. We feel that 14,000 is a realistic figure—based on the average that was holding steady in August—when we were finally geared up, was a feasible goal for this year. We do distribute food at our recreation areas, tot lots, and various arts and crafts program sites, and so on—all of which are in the inner city area. Our estimate is that about 8,400 would be the number which could properly be served from those central city areas.

Senator BELLMON. Your feeling, now, is that 14,000 figure was too high?

Mayor MAY. That, I think, is a reflection of need.

Senator BELLMON. Is the need still there?

Mayor MAY. Yes, sir.

Senator BELLMON. Why settle for 8,400?

NEED FOR FUNDING

Mayor MAY. If you will send us adequate funding to provide enough staff, we would be glad to try to serve the 14,000 who are in need. The problem is that our sites, as now projected, would encompass only 8,400 kids, and we have had to cutback on some of our recreation personnel and so on because of budgetary problems.

Senator BELLMON. What contribution does the city of Rochester make to this program?

Mayor MAY. It is a little complicated, but we do provide supplementary contributions. We have the City-County Youth Board which is funded through a number of sources, including city and county government funds. The board adds some special staff people for the summer to help run a number of programs including this one. Beyond that the staffing is carried out either by city recreation employees—who are already on the job—or additional summer youth program personnel or Neighborhood Youth Corps youngsters.

Senator Bellmon. You don't have a dollar figure that you contributed: Federal participation figure is $185,000. You don't know how much?

Mayor May. Mr. Davis, who is my expert on money, says that the total Federal cost in 1971 was, roughly, $137,000. The total local cost was $48,000, for a total of $185,000.

Senator Bellmon. Roughly, then, three Federal to one local dollar?

Mayor May. Right.

Senator Bellmon. If I have done my arithmetic, you are asking for a $75,000 increase.

Mayor May. Well, after the uncertainties about funding and our resultant late start, we spent $185,000 last year. We can effectively utilize $234,000 this summer.

Senator Bellmon. You feel this is adequate?

Mr. Davis. I would like to comment on that 14,000 per day figure and why we are asking for funds to feed 8,500 per day.

Since last summer, because many of the areas that we plan on serving are also urban renewal areas, we have many people moving from the area to points which are very hard to identify and still be able to serve one specific area where we have all poor kids.

USDA Guidelines Create Problem

With urban renewal, we have people moving out. In some cases they move into middle-class areas, so we might have an area that would serve 50-percent poor, but the other 50 percent might be middle class or near middle class. It is very hard for us to plan in that area under the guidelines we have with this program. There are many kids that we will miss because of our inability to fit the stringent USDA guidelines.

When we say 8,400 youth per day, we are talking about the core area of poverty. We could serve more than 14,000 a day, but then we get into the sticky buisness of whether the children are poor, how many are poor. If you have 50 on a tot lot, are 45 poor and the other 5 not? And 8,400 per day are core poor children without any question.

We can guarantee 95 percent of the children in that area as being poor.

Senator Bellmon. Would you say that your situation in Rochester is reasonably typical for the whole country? In other words, would a 25-percent increase in funding, in your opinion, be realistic all across the country?

Mayor May. As I mentioned earlier, I really don't know that we can speak, Senator, for other cities across the country except to the extent that the National League of Cities and Conference of Mayors have surveyed the 50 States and have submitted with the testimony today the response from the communities in those States. It is a response based on the amount which the cities feel they can effectively use—not the need. The amount they can effectively use adds up to some $52 million.

Senator BELLMON. Let me ask you a final general question. Let's assume for some reason the Congress chose to discontinue the summer feeding program entirely. What alternative do the cities have?

Mayor MAY. Well, at least from the vantage point of my city—and I believe it true of most other large cities—the cupboard is bare in terms of providing any city funds. As a matter of fact, my city is now faced with an $8 million budget gap, between now and the end of the fiscal year on June 31, out of a total budget of $65 million. So we are laying off people and cutting back on programs simply to survive fiscally. I don't think the cities, themselves, could conceivably come up with additional funds.

The State of New York also pleads poverty in terms of any assistance which they could add of a new nature. If the funding were not forthcoming from the Federal Government, you simply wouldn't have that one balanced meal for inner-city youngsters.

Senator BELLMON. Thank you, Mr. Mayor.

The chairman is back. I will let him ask questions.

Senator CRANSTON. If you have any more, go ahead.

I thank you both very much for your very helpful remarks. I am sorry I wasn't here for all of your testimony, but I will make it a point to study the record of this morning's hearing as soon as it is available.

Mayor MAY. Thank you, sir.

Senator CRANSTON. Our next witness will be Mr. Edward Hekman, Administrator of the Food and Nutrition Service of the Department of Agriculture.

Mr. Hekman, welcome to the hearing this morning. Please introduce those with you.

STATEMENT OF EDWARD J. HEKMAN, ADMINISTRATOR, FOOD AND NUTRITION SERVICE; ACCOMPANIED BY HOWARD DAVIS, DEPUTY FOR PROGRAMS; GENE DICKEY, CHILD NUTRITION DIVISION; AND JAMES SPRINGFIELD, DEPUTY FOR MANAGEMENT, FOOD AND NUTRITION SERVICE, USDA

Mr. HEKMAN. Mr. Chairman, I would like to introduce Mr. Howard Davis, deputy for programs. On his left is Mr. Gene Dickey of the Child Nutrition Division, and on my right, Mr. James Springfield, deputy for management of the Food and Nutrition Service.

Mr. Chairman, Senator Bellmon, thank you for inviting me and for accommodating my schedule.

Senator CRANSTON. We're delighted to do so.

Mr. HEKMAN. I am glad to have this opportunity to discuss our experiences with the summer feeding program. I am pleased to tell you of the planning that has been done, for this coming summer, so that this program will contribute effectively to the nutrition of needy youngsters.

This summer feeding effort has some inherent problems—problems that do not exist in other child nutrition programs administered by the Food and Nutrition Service. Educators consider the national school lunch program to be the primary vehicle for feeding children. It has a well-defined organization. And the program is administered by a cadre of professional and semiprofessional people.

But with the summer feeding program, we are dealing with a different set of circumstances and with a different set of people.

This program is "short term"—for the summer only. The professionals and semiprofessionals who administered the National School Lunch Program are not available, to the same extent, to administer this program.

Furthermore, these children are not in school, in a learning situation. They don't enjoy all the advantages that come from the operation of a program in a specific building, for a participating group whose characteristics are well known.

The National School Lunch Program does have some day-to-day variation in participation—due to such factors as the weather, or the menu. But the School Lunch Program problems are nowhere near the magnitude of those that are faced in operating the summer feeding program.

PLANNING AND ORGANIZATION HURRIED

Last year these inherent difficulties were further complicated by events in May and June. As a result planning and program organization had to be hurried. At the time when cooperators and local sponsors needed guidance, the program's authorization was due to expire on June 30. It was on June 30 that authority to continue the program was signed into law. And it was also on June 30 that the Congress voted supplemental funding.

At that point, the Food and Nutrition Service began a series of rapid actions. Those actions were designed, first, to bring as much order as possible to 1971 operations; and, second, they were designed to lay the foundation for planned, effective programs for 1972 and the years beyond.

The first thing we planned was a program of intensive field monitoring. This monitoring covered 72 sponsors, at 147 feeding sites.

And it might be well, at this point, to call your attention to some of the serious problems and deficiencies that were found. Bear in mind that many program problems were corrected on the spot, as they were identified, through the observations and suggestions of the food nutrition staff.

SPONSORS AUDITED

Ten large sponsors were audited. Together those 10 accounted for almost 20 percent of the total nationwide program. In these audits, there were serious questions of eligibility for reimbursement of more than half of the meals served. Many of those were lunches served to adults. Many were extra lunches, taken from the feeding sites by children.

In New York City, there were over 900 feeding sites, getting about 130,000 lunches daily. But only two of these sites provided for day care or other supervised child care.

Seven of the sites regularly received a total of 2,300 lunches, but those sites served only 400 children.

One site that received 576 lunches on the day our monitors were there, was found to be a drug rehabilitation center, and it served only 30 persons that day.

In San Diego, Calif., our monitors observed 452 lunches being served to only 81 children. At many sites, up to 15 lunches were served to some children. Most of these immediately left the area, taking lunches home, presumably for other members of their families.

In Albuquerque, N. Mex., children took up to five lunches away from the feeding site, in shopping bags. Some of those children went directly to waiting automobiles driven by adults. The supervisor at that site said that no children were given more than five lunches—until all the children were served.

Caterers often charged for more meals than were actually delivered. At one site in St. Louis, Mo., the caterer's invoice showed that 4,100 lunches and supplements were delivered on the day the monitors were there. But actually on that day, the site ran short of food items for 3,790 supplements.

In Houston, Tex., 1,185 meals were charged for, but only 825 lunches and supplements were delivered.

As a result of the deficiencies we found in the 1971 programs, some reimbursement claims have not been settled. Among the larger reimbursement claims that are not yet settled is one for $3 million from New York City, and one for $706,000 from Newark, N.J.

I am happy to tell you, and I know you share this feeling, that we found good programs, as well as bad. We found many programs that were well administered—that contributed to the nutritional well-being of participating children.

The medium- and small-sized programs tended to comply well with the program regulations necessary for sound administration.

In Richmond, Va., for example, a medium-sized program served about 10,000 children at 24 sites.

In Baltimore, Md., about 29,000 were served at approximately 190 sites.

There were occasional onsite problems. But the reviewers generally found well-structured organization in these two cities—along with comprehensive recordkeeping and reporting systems.

Baltimore, incidentally, is a good example of how programs can be improved. Baltimore had a poor program in 1970, but reversed its field to build a good record in 1971.

Philadelphia is another city which greatly improved its program—from the summer of 1970 to the summer of 1971.

In Birmingham, Ala., the Girls' Club also sponsored a well-organized, well-administered program—serving 275 lunches, at two sites, and morning and afternoon supplements.

The programs that were well administered were not limited to the smaller communities. Several large cities also had excellent programs.

For example, I personally visited the program in Chicago. And I was impressed—not only with the food service, which was excellent—but with the recordkeeping, which was very thorough; and with the program of studies that was engaged in by the students.

In Detroit, to cite another "big-city" example, a feature of last summer's program was the effective use of volunteer workers.

Besides this monitoring of programs, we made a thorough review of the preprogram planning, and application procedures in a selected number of States.

DEFICIENCIES RELATED TO POOR PLANNING

In general, most of the deficiencies that we found in last summer's programs were related to poor planning by sponsors. Where the feeding was "added on," to an existing activity—such as boys' clubs or day camps—the operation was considerably stronger than when a program had no such organized base. Throughout, there was a lack of knowledge of program regulations. This was almost universally true among "onsite" personnel. Often they were mainly concerned with duties and activities other than food service. At all levels of operation, recordkeeping was woefully deficient.

As a result of the widespread problems that we found, it was obvious that we needed specific procedures and regulations and more adequate program-planning time. And it was obvious that all levels of administration needed thorough guidelines on program operations.

As a result of these findings, we began—early last September—to plan for the summer feeding programs for this upcoming summer of 1972.

In October 1971, a group of State cooperators met with regional and national FNS workers to draft instructions, guidelines, and operational procedures.

Then early in December, a number of State and city cooperators met with Federal people to serve as a reactor panel for the guidance materials that were developed by the October work group.

The cooperators who worked with us came from all over the country: From California and Washington on the west coast; from Texas, Louisiana, and Alabama; from Iowa; and from New York, Pennsylvania, and Virginia on the east coast. We very much appreciate their cooperation in the planning of this year's programs. And I should like—if I may, Mr. Chairman—to submit for the record the list of the names of these cooperators.

Senator CRANSTON. Certainly. That will be included in the record.*

Mr. HEKMAN. Thank you.

USDA HANDBOOKS DISTRIBUTED

Mr. HEKMAN. Out of this combined local, State, and Federal input, these two similar handbooks were developed—one handbook for sponsors, and the other for the onsite supervisors. Early in February, these handbooks were distributed to all State cooperators, to all program sponsors, and to all potential sponsors and persons who had expressed interest to State agencies, or to FNS regional offices.

These handbooks have been very well received—a tribute to the work that was put into them by our cooperators in local and State governments. We will be glad, Mr. Chairman, to supply a copy** for your committee.

Senator CRANSTON. Please do so.

Mr. HEKMAN. Thank you.

On February 14, we announced the proposed revisions in the regulations for both the summer and year-round phases of the Special Food

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*See Appendix 1, p. 553.

**See Appendix 1, p. 526.

Service Program for children. Public comment was invited—in accordance with USDA's "rulemaking procedures"—for a 20-day period, extending through March 7.

We received comments on these proposed revisions from 52 individuals and organizations, including several Members of the Congress. The revised regulations are responsive to these comments and suggestions.

Several respondents pointed out that service institutions would not have sufficient time, this year, to complete their program planning by April 1, the proposed deadline for priority consideration of applications.

The final regulations were changed, therefore, to make April 17 the date for filing applications for this calendar year. April 1 will be the filing date in subsequent calendar years.

CHANGED PRIORITIES FOR APPLICATIONS

Some comments and suggestions concern the priorities for the consideration of applications. As a result, changes were made to clarify the manner in which the priorities are to be applied:

1. Priority consideration will be given to applications filed before April 17 by service institutions which operated programs last summers, and not more than last year's approximate funding.
2. Priority will be given to applications received before April 17 from service institutions which did not participate last summer.
3. Applications from service institutions in the first group will be considered for that portion of the application which is in excess of the approximate amount of funds used last summer.

Each state now has a commitment of funds to meet priority 1 applications in an amount equal to the State's use of funds for summer programs last year. Sponsors in priority 1 can plan their programs, and administering agencies may immediately approve applications and commit funds at last year's levels within the State.

If some service institutions in priority 1 ask for reduced funding, of course, there will then be room within this minimum commitment of funds to the States to meet the needs of priority 2, and then priority 3 applications.

FNS and cooperating State agencies are giving close attention right now to the handling and approval of applications under this priority system. A series of reporting mechanisms are in operation, so that we will have the funding needs by early May. This will be the total of approved applications which were received by April 17.

Applications received after April 17 will be considered in the order of their receipt, to the extent of available funds.

Our budget request contemplates that sufficient funds will be available for the summer of 1972 to provide a national increase of about 25 percent over last summer's actual expenditures.

PLAN ACTIVITY MONITORING

Let me emphasize again how closely we plan to monitor this year's activity, especially during the planning stage. We are already working closely with the cities and the States to do all we can to aid them in the implementations of programs that will meet this summer's needs.

We recognize that food service at open playground sites is a far cry from service in schools—where daily attendance is statistically predictable, where there is control over who enters the lunchroom, and where trained food service personnel are available, along with facilities and equipment.

However, we are convinced that summer programs, that are well administered, are what the Congress intended. We are working closely with the States in the use of these Federal funds to structure summer feeding oprations that will not only meet local needs, but that will also carry out what we believe was the intent of the Congress.

The Congress stipulated that this program assist children from areas in which poor economic conditions exist, and from areas where there are a high concentration of working mothers. We interpret this to mean that the Congress was basically interested in assistance to the needy and the near needy.

Capabilities in schools exist only because local interest, local effort, and local funds put them there. We believe that these summer feeding programs can be made an effective supplement to other food assistance programs in reaching children in need of better nutrition.

That concludes my formal statement, Mr. Chairman.

Senator CRANSTON. Thank you very much for your testimony and for your appearance today.

You have commented rather briefly on the alleged program abuses that the USDA found in several communities. Could you submit for the record all the information on which the Department bases its concern and your findings of abuses, filling out in more detail the rough outlines you gave us today?

Mr. HEKMAN. Yes.* We will be working with the chairman, with the Office of Inspector General, to make that available to the committee.

Senator CRANSTON. Thank you.

I have been told that the program in New York City was run primarily in the Hunt's Point area. I understand this is an area of New York City which has a high concentration of hard-drug addicts. It is an extremely tough area in every sense of the word, and therefore a place where the Summer Lunch Program is especially needed. You spoke of the New York City program as one which served some lunches to ineligible persons. I understand that there were several incidents in which adult addicts demanded that they be given lunches. I gather this didn't happen in great numbers, but it did happen.

The people running the program, to avoid trouble for the children, decided to give the addicts the lunches. Is that the reason you are critical of the program in New York?

Mr. HEKMAN. The program in New York, as pointed out by the Office of Inspector General, had a large number of things that we were critical of. I have mentioned this one just as an example.

The program obviously is meant for children. It is not meant for adults. We recognize, Mr. Chairman, that in a program of this size, there is bound to be some slippage, like adults demanding lunches; that has happened here in this city.

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*See Appendix 1, p. 554.

We recognize that a certain amount of that is bound to take place. But I think the criticism of the New York program and the reason that we haven't reached a settlement, is much more wide, pervasive, and deeper than that one example.

How Many Days for Planning?

Senator CRANSTON. Do you know how many days' notice the New York sponsors had from the time you finally told them they would have money for the summer program, and the day that program actually began?

Mr. HEKMAN. Perhaps Mr. Davis can help me on this, Mr. Chairman.

Basically, they knew they had some money. They had a level of funding they could figure on quite early in the spring. Now the additional level of funding, the substantial increase in the level of funding, was made available right about July 1, is that correct, Mr. Davis?

Mr. DAVIS. Yes sir.

Senator CRANSTON. Made available July 1?

Mr. HEKMAN. Yes, sir.

Senator CRANSTON. When were they told it would be available, and when did the program actually start?

Mr. DAVIS. It was around the first week in July when the program started. As I recall, we told them that they could have some additional money somewhere along about the third week in June, the final amount wasn't really made available until June 30.

I think that your point, however, is well taken. They did not have sufficient leadtime for planning on the basis of a greatly expanded program.

Mr. HEKMAN. My testimony makes note of that—lack of planning.

Senator CRANSTON. Since they only had a few days notice, and since the program sponsors were concerned, prior to that time, about the possibility that irregularities might occur under such conditions, were you able to provide anyone to assist the program sponsors in establishing and supervising this program?

Mr. HEKMAN. We have a regional office in New York City, and our people there did work very closely with the ——

Senator CRANSTON. How many employees are assigned to the New York regional office?

Mr. HEKMAN. The total number of people in our New York office is 104.

Senator CRANSTON. How many of these 104 employees were available to assist this particular program at that point in July when the Summer Lunch Program began operation?

Mr. HEKMAN. I wouldn't want to state that without checking.

Senator CRANSTON. Could you furnish for the record how many USDA employees were actually available to help supervise and to assist the program sponsors establish and operate the program in accordance with USDA standards and regulations?

Mr. HEKMAN. I would be happy to do that.*

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*See Appendix 1, p. 553.

Senator **Cranston**. This year, I understand that the USDA has prepared detailed manuals to aid in developing and monitoring the programs. I'm told there have been questions about the number of manuals actually made available in some States and whether the number was adequate to reach all the people that needed them. Were such manuals available last year?

Mr. **Hekman**. At this point I should state that the operation of the program in New York State is the responsibility of the State of New York.

In other words, we, Mr. Chairman, do not run the program in the State of New York. It is run by the State itself, and, of course, with the city. Our role is one of counsel and to explain the regulations, and to provide various printed material.

Perhaps Mr. Dickey can tell the committee just what was available, last year, in the way of communication through the meetings or print.

Senator **Cranston**. Let me make my question clear. In the country generally, were manuals available for guidance last year, as you are seeking to make them available this year?

Mr. **Hekman**. I will ask Mr. Dickey to answer that.

Mr. **Dickey**. Mr. Chairman, last year there were no handbooks developed for operational guidance. There were, however, a considerable number of operational memorandums that were prepared and distributed to the State agencies and the regional offices, which would outline their operational procedures.

Mr. **Hekman**. The fact that, last summer, we had some excellently run programs, I think, indicates that this type of information was available.

Senator **Cranston**. Would you tell us exactly how much money last year's Summer Lunch Program cost?

Mr. **Hekman**. Mr. Chairman, I wish I could do that. The amounts submitted in claims are $21.1 million. Now, what it will cost will depend on the outcome of these audits. For example, the audit going on in New York City involves some $3.4 million. I cannot state anything but that the total amount of claims—the claims for reimbursement—were $20.1 million.

Senator **Cranston**. Is the New York claim included in that $21.1 figure?

Mr. **Hekman**. Yes. All of the claims—I would like to emphasize that—all of the claims are in there, but the amount is going to be less than that because some of the claims are not going to be allowed for the reasons I have indicated in my testimony.

Senator **Cranston**. Does that $21.1 million figure also include any overpayments? For example, does it reflect the $8,000 to $10,000 overpayment made to Milwaukee because of the computer problems the Department has been having?

Mr. **Hekman**. I am not aware of a problem. I personally am not aware of a problem in Milwaukee.

Senator **Cranston**. Would you look into that and supply, for the record,* if pertinent, information about the problem of last summer's program in Milwaukee?

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*See Appendix 1, p. 554.

Mr. Hekman. Yes, sir.

Senator Cranston. Is it true that the Department has not yet determined the extent and cost of last summer's program due to some computer difficulties which developed last August? Secondly, you have apparently not yet worked out some disputes between the Department and certain cities as to the amount of their claim which is reimbursable.

Actual Amount Less Than $20.1 Million

Mr. Hekman. Well, that isn't quite the way I see it, Mr. Chairman. We have said that if we paid all the claims—and, after all, this is April—the top of the range is $20.1 million, and what I am saying is that the actual amount will be less than that. How much less at this point, Mr. Chairman, I can't state, because we are not through with the audit in New York City, which is the largest one.

Senator Cranston. Could you tell us whether the Department has requested the funds in the second supplemental appropriation to pay back, Section 32 fund, the moneys used as a result of last winter's Joint Resolution 157?

Mr. Springfield. No, sir. We have not.

Senator Cranston. That resolution required the Department to maintain adequate levels of reimbursement in the School Lunch Program. It provided that the moneys required for reimbursement should come out of a subsequent appropriations request, and not out of other funds available for the program, such as the $135 million made available last June in Public Law 92–32* for the Summer Lunch Program, "service institutions" (like Day Care and Head Start), and school lunch. Why are you not seeking payment out of that, under the terms of that resolution?

Mr. Springfield. The President's budget for 1973 does contemplate the restoration of some Section 32 funds. It is being handled——

Senator Cranston. Is that a payback procedure?

Mr. Springfield. No. Through the anticipated use of new Section 32 money in fiscal 1973.

Senator Cranston. Are you going to explain why the Department has not spent the $135 million that Congress made available in Public Law 92–32 for the summer-lunch and other child nutrition programs? And why the Department is not "paying back" the Section 32 fund as Congress required?

Mr. Hekman. It is my understanding, Mr. Chairman, that the Department has spent Section 32 funds in excess of the Section 32 funds generated by the formula on imports. That includes the increase that you referred to earlier.

In other words, there has been a very substantial inroad into the figure that several in the Congress have indicated was the base figure below which Section 32 funds should not go. This was the case during this current year, fiscal year, 1972.

Senator Cranston. I would like to read a letter from Chairman Perkins of the House committee to Chairman McGovern of the Senate Select Committee on Nutrition and Human Needs on this point. I will then ask you to comment on the situation as he spells it out.

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* See Appendix 1, p. 587.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C., February 3, 1972.

Hon. GEORGE MCGOVERN,
Chairman, Select Committee on Nutrition and Human Needs,
United States Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter concerning the availability of funds for child nutrition programs under Public Law 92–32. In answer to your specific question, there was no intent on my part to limit in any way the funding authority contained in Public Law 92–32 through the passage of Resolution 157. As you are aware, major changes and improvements have been made in the child nutrition program. As a result, there has been rapid growth in each of the activities authorized by Congress, free lunches for the needy, nonschool lunches, et cetera. Budget requests have been generally inadequate to meet growing needs. It was against this background that I foresaw the need for Public Law 92–32 in order to provide a significant sum of money which could be readily used by the Public Department of Agriculture. The subsequent passage of SJ–157 did not in my view alter or supersede the provision of Public Law 92–32. This later legislation called for planning of certain child nutrition programs from certain child nutrition funds which would be replaced through supplemental appropriation.

In my view there should be no need to curtail or slow down the needs on the basis of lack of available funds. My feeling is this has been made perfectly clear.

Sincerely, Carl Perkins.

Mr. HEKMAN. Would you please repeat the question?

Senator CRANSTON. What is your comment on Chairman Perkins' letter which clearly states that Joint Resolution 157 was not intended to supersede or alter the provisions of Public Law 92–32. Moreover, the Section 32 fund would be adequately protected if you followed procedures that Congress set out for you in the law.

Mr. HEKMAN. I am not taking the position, Mr. Chairman, as to the availability of funds. The position in my statement, and the one that I would repeat at this point is, we feel that our budget request contemplates that sufficient funds will be available with this figure of $25.5 million, which is 25 percent more than the reimbursement claims submitted to us for last summer's program. In other words——

WILL BUDGET REQUEST LEAVE UNFED CHILDREN?

Senator CRANSTON. Well, the position of Chairman Perkins and Chairman McGovern and myself—I will not speak for others—is that funding has been made available, that it is available, and that it should be used to insure that no children go hungry. How many children will not be fed if we stick to the $25.5 million figure you are talking about—children who would otherwise benefit from these lunch programs?

Mr. HEKMAN. Mr. Chairman, I tried to point out in this testimony that we are in the process right now of trying to come up with an answer to that question. What the need is for 1972.

Senator CRANSTON. Can you supply that figure in time to insure that there is adequate funding to feed all children that should be fed?

Mr. HEKMAN. As I indicated, we will have that figure early in May. The requests have to be in by April 17.

Trying to determine what is needed, as also the previous witness indicated, is something other than just saying how many children are there in a community. There have to be the resources as the other witness indicated. There have to be the resources there in terms of program operators and sites and adequate feeding facilities, the monitoring of the lunches, seeing the milk is kept cool, all the other things that have to be done in a community.

These are the things that are spelled out in our handbooks. This information is in the field and the sponsors have it. They have had a chance to look at the material that indicates what constitutes a good program. Then they are telling us, starting right now, they will be telling us that this is what we think we should have, like the mayor of Rochester indicated.

We are in that process right now, Mr. Chairman. We expect to have that information early in May.

Senator CRANSTON. I would like to ask one question on this point before I yield to the other Senators. In view of the fact that the Appropriations Committee is meeting next week and in view of our need to know some specifics before the committee completes its work on the fiscal year 1973 appropriations, would it be possible for you to report back to this committee by next Wednesday on your estimates of the adequacy of the $25.5 million you have budgeted?

Mr. HEKMAN. I would like to ask Mr. Davis what information he thinks we will have by next week, partial?

Mr. DAVIS. Well, I don't think that we will be in a position to really give any kind of an estimate until we get all of them in after April 17. This was one of the problems that we faced last summer, last spring, in trying to find out what the total need was. We had telephone calls, we had statements to the press, much information of a very general, casual nature as to what this or that city wanted to do. We don't believe that we can make good estimates on that basis. So we do need to get these applications in, and they do need to be screened and approved before we will have a fix on the funds.

Now, to the other part of your question, an answer as to how much additional funds the administration might want to put into the program, I think we'd have to carry your request back to the Secretary, but I don't believe he would be in a position to give you an answer until we are able to examine the applications.

Senator CRANSTON. I want to pursue that a little bit further, but I don't want to be hoggish with the time. I will yield to Senator Percy.

Senator PERCY. Thank you, Mr. Chairman.

Mr. Hekman, I would like to say how solidly I think this committee will back everything you do to eliminate waste in this program. We are not filling human need by inefficient methods, wasteful procedures, putting authority over this kind of needed resources in the hands of people who are incompetent or who do not back it up with adequate recordkeeping. Anything you do in that area will be fully supported by us.

Senator CRANSTON. By the whole committee.

Senator BELLMON. Yes.

Mr. HEKMAN. Thank you.

Senator PERCY. We would have our head in the sand if we didn't feel there is waste. There is waste in the lunch program. It is better than the summer program. I have seen it. I know it and I have personal testimony from school administrators to that fact. Obviously with, a new program—only in being a few years—without a structured organization to carry it out and people you can hold accountable, you have a much more difficult problem.

I think in the procedures that have been adopted you have worked toward a plan where, I hope, we can look toward a much better program this summer.

Has it been made perfectly clear to the vendors who deal—that we deal with and to the people that have been brought into the program—the nature of the penalty provided by law for fradulent use of these needed resources, for taking them for people they are not intended for, for short-counting and so forth? What are the penalties that you can impose? And, have we penalized vendors who have been flagrant in this area? I think they are a problem. When you have very good vendors in the field, it hurts their reputation.

Mr. HEKMAN. Well, Senator Percy, it is pretty obvious that some of the people aren't going to get the money. That in itself is a penalty. As for any penalty beyond that, Mr. Davis?

NEEDY ARE PENALIZED

Mr. DAVIS. We are faced with this dilemma with all of our food programs. In the last analysis, the only final sanction we have is to take the program out of a community and this we simply can't do. You penalize all of the poor and all of the needy in the area for wrongdoing or lack of doing by some officials that are running the program.

So about all we can do is to appeal to the fairness and the good citizenship of the people who are concerned with these programs and generally we do get response on that basis.

In this particular case, as Mr. Hekman just pointed out, there are some of these companies who are not going to get fairly substantial sums of money that they are claiming.

Senator PERCY. I just feel that Internal Revenue, through the years, has developed a procedure which you can see come every—it is just about on now. They get on the radio; they emphasize to people the necessity of all paying their fair share. But, they also heavily publicize the penalties available for fraudulent filing of tax returns—and they make quite visible. Much more so in March and April, it seems, than any other time of year—the few who go to jail.

I must say it causes millions of people to take a second look at this thing. I wonder if, just before the summer program, through school publications, through any means that you can use, we can emphasize that this is a crime. That in this area—like anywhere else—fraud and cheating cannot be tolerated. It certainly undercuts any kind of a program when you have the kind of loose procedures that you yourselves have found.

I want you to know, we would back up your imposing the severest penalties you can for fraudulent practices in this area.

I would like to ask you about Illinois. I was just delighted that you, personally, went to Chicago. That we have an efficient program, good recordkeeping, and so forth in that area. I hope that it would be true in all of the State of Illinois.

Just to get some fix on what funds will be available by best estimate. Illinois, to take one example, last year had need for $2.5 million in the program, that is for the Summer Lunch Program. They actually received $2.1 million and—from what best audits we could make—it was efficiently and actively used.

Their request this year seems like a modest increase, $2.257 million. This would hardly take care of the additional population; and, certainly, not take into account the increased unemployment and a little more economic hardship.

Does it seem reasonable that program would be funded?

Mr. **HEKMAN**. Mr. Davis?

Mr. **DAVIS**. As we pointed out earlier, they will be guaranteed, going in, as much money as they had last year for their programs. Then we do have this 25——

Senator **PERCY**. That's money? Are we taking into account inflation and the fact that food is going to cost more this year than last year?

Mr. **DAVIS**. This really, Senator Percy, is a method of getting some money out to the States that they can use as quickly as possible, recognizing this problem of early planning. This in no sense is going to be a ceiling on how much Illinois will get, depending on the applications that we get in from all over the country. Then we will take this 25-percent increase that we have and divide that among those who need more money than they had last summer.

On this basis it doesn't take anything into account. It is just a figure, the figure that they used last summer. It is something to start with, something we can make available immediately. They can go ahead and approve applications up to that amount. Then we will take a look, after the 17th, and we are going to make every effort to get the word back out as quickly as we can in May, first part of May, as to total amount that will be available.

WILL THERE BE FULL FUNDING

Senator **PERCY**. Does that or does it not mean that they will get the money for their needs? They need a modest increase over last year and have demonstrated efficiency in their program. I am not sure I really understand whether you think they will get full funding for that. If not, what can we do to help them get full funding? As I understand it, you have the money available and it is in your discretion as to how you will use it.

Mr. **HEKMAN**. As Mr. Davis indicated, there are a number of factors. What we did was put out money now so they could do planning on this priority. No. 1.

I talked to some of our regional people and they don't see, in this one area, where they will need the 25-percent increase. So when we get all of these facts in, and I would personally like to emphasize this to the committee. This isn't a passive sort of thing—that we are sitting back and waiting for these reports to come in.

Quite the contrary, we are out in the field, holding meetings with all of the State people who, in turn, are holding regional meetings, and we are trying to plan with them to find out where the need is. To say at this point, Senator Percy, just what it will mean for Illinois, will depend on the needs as they are developed in Illinois, made known to our people, the needs in other parts of the country, so we can move this money around.

I would be happy to get the figures to your office just as soon as I can.

Senator PERCY. I would appreciate that.

Mr. HEKMAN. I know of your interests in the program.

Senator PERCY. With the chairman's permission, I would like to yield the balance of my time to Senator Bellmon.

Senator BELLMON. Thank you very much.

Mr. Hekman, I am not sure I followed your statement completely. You said that the claims under the 1971 program amounted to $20.1 million? You also said that you anticipate making funds available, sufficient funds available in 1972 for an increase of about 25 percent. Exactly how many dollars do you expect to be made available for 1972?

Mr. HEKMAN. We expect to make available $25.5 million.

Senator BELLMON. Availability of $25.5 million? How do you feel about the increase of $5 million?

INCREASE OF 25 PERCENT

Mr. HEKMAN. The Department in submitting its budget took into consideration all of the factors that were available to us. We had meetings with some of these people in October and again in December. We had our track record for past years. Based on that, we made an estimate that a figure of $25.5 million—which is an increase, a substantial increase, of 25 percent—represented our best judgment then and it represents our best judgment now, until all of the facts are in as to what we would need.

We made that budget figure available to the Secretary of Agriculture.

Senator BELLMON. I know that Mayor May of Rochester, in his testimony, stated what his city would need. Last year it used $185,000, and this year he feels they will need about $234,000. That comes out to be about a 25-percent increase. Is that a coincidence?

Mr. HEKMAN. I suppose it is a coincidence. In our case, a very happy one. I didn't have a chance to talk with the mayor ahead of time, but I have talked with some of our people, and in some cases it may not be enough, and in other cases, I am sure it is going to be more than enough.

So again, what we need badly now, and we hope to have early in May, are the facts.

Senator BELLMON. And when you get your figures in May; if you find that your anticipated expenditure of $25.5 million is too low, what do you plan to do about it?

Mr. HEKMAN. There are various things we can do. We can work with the cities. Many of the cities are finding that they can make economies in the program of various kinds, but in this budgeting process, Senator Bellmon, you have to start someplace. To the best of our knowledge, this was the place to set a figure, a budget figure, and I have not seen anything yet that would indicate to me that we are low on our estimate. We are stating that we will know in early May.

Senator **Bellmon**. My question is: If you find you are low, do you intend to come to Congress and ask for more money; or, do you intend to cut back on the cities?

Mr. **Hekman**. I would make that figure known to the Secretary of Agriculture.

Senator **Bellmon**. With what recommendation? What would you recommend that he do?

Mr. **Hekman**. I would make the figure known to the Secretary of Agriculture.

Senator **Bellmon**. You would have no recommendation?

Mr. **Hekman**. No. I would certainly interpret the figures to him, indicating how accurate they were, but I think that he can certainly take whatever I send over to him through Assistant Secretary Lyng. This represents our best estimate. I have tried to make that clear that it represents our best estimate and we are working very, very closely with the States. It is not a passive sort of thing.

We had a meeting this week. We are doing our best to determine what it should be. This isn't an open-ended deal. We are working against a figure that we think is adequate and to the best of my knowledge at this point, I think it is.

It isn't just a question of submitting us a figure. It is a matter of sites——

Senator **Bellmon**. You have talked yourself into a corner. You said you wouldn't know until May how much you are going to need. Now you say you arbitrarily set a limit. What I am asking you is: If you find your first estimate of $25.5 million is not accurate—it is too low—what do you plan to do? You said you would tell the Secretary with no recommendation.

If that's the case, then what is the point of going into this exercise of asking what the various cities need? If you are not going to pay attention to them, why ask them?

Mr. **Hekman**. The first thing we have to do is find out what they need.

Budget First—Need Secondary

Senator **Bellmon**. It seems you should have done that before you set the $25.5 million figure.

Mr. **Hekman**. I don't see how we could do that until they have an opportunity to line up sponsors, determine sites. All that has to be done. Some are going to have too much, some are going to want more. We are going to have to balance this off.

Senator **Bellmon**. Once you have all the facts, then it seems to me, you should come to the Congress and say: "We were right or wrong." If you are wrong, say: "We need more money" Do you plan to do this?

Mr. **Hekman**. The chairman has asked us when we get the figures, early in May, that we submit something.

Senator **Cranston**. I didn't mention early in May. I said next week.

Mr. **Hekman**. I indicated, Mr. Chairman, we won't know next week. We just won't know until some time after the 17th. We are going to let the 17th be the date. The additional time, we need to balance it off between States that don't need it and States that need the 25 percent. National, it is going to take us until early May.

Senator CRANSTON. I would like to join Senator Bellmon's question. Since you don't know, why are you putting yourself in the strait-jacket of a $25.5 million program?

Mr. HEKMAN. Well—I am the administrator of the Food Nutrition Service—have to submit a budget based on our best estimate as to what we will need for this program. I did that.

Senator CRANSTON. Is that your best estimate?

Mr. HEKMAN. That is what my testimony is, yes, sir; that is my best estimate. Based on 3 years of operation of this program and all the facts available to us, it is our best estimate.

Senator CRANSTON. Forgive me. I didn't mean to intrude.

Senator BELLMON. My point is—it is only an estimate.

Mr. HEKMAN. Any budget is an estimate.

Senator BELLMON. But some day you are going to know what the cities are actually requesting, right?

Mr. HEKMAN. Yes, sir. I have indicated that.

ESTIMATE CAN BE CHANGED

Senator BELLMON. At that point, you will know how much you need. There is nothing sacred about an estimate. It is admittedly a guess and can certainly be changed. I believe you will find the Congress very ready to support you. If you find out you need more money, come and ask for it.

Mr. HEKMAN. I have indicated, Senator Bellmon, to the chairman, we will, of course, make that available, not next week as he would like because we won't have it. We will make that available.

Senator BELLMON. That is what I was trying to get at. I think it ought to be made available to us, not to the Secreary. We don't even know what is happening, sometimes.

I would like to pursue another line of questioning for just a moment. As I understand it, this program is funded on a fiscal year basis. Yet summer begins, generally, the 1st of June, and the fiscal year ends July 1. Can you give a city assurance—as things now stand—that the program once begun can continue into the new fiscal year?

Mr. HEKMAN. I am glad you brought that point up. Obviously we only have funds for this year. It will take a continuing resolution or actually the appropriation, obviously, to give us funds for this program or any other program for next year. We do have funds that we set aside in fiscal 1972 for June of this year.

Senator BELLMON. But, that is all?

Mr. HEKMAN. Obviously that is all, except such obligated carry-over balances as may become available.

Senator BELLMON. Until the Congress acts, you have no money for July and August?

Mr. HEKMAN. For any program except for surplus commodities available for donation.

Senator CRANSTON. Except for $135 million?

Mr. SPRINGFIELD. No, sir. The $135 million is not actually an appropriation that is made available to us. It is an authority, and there is no question that there is authority here for a larger appropriation than is currently available. But like many authorizations, the actual appropriation is frequently less than the total authorization. So what we are talking about is a program level and to increase the program level requires——

Senator **Cranston**. Is it not true that you do not need a separate appropriation to utilize Section 32 funds, since that is a standing appropriation? What you need is direction from the Congress? You have that direction from the Congress in Public Law 92–32. You can therefore tap Section 32 and that falls within the authorization?

Mr. **Springfield**. The Section 32 funds, the budget for 1973 calls for the utilization of about $450 million directly out of Section 32 for a range of child feeding programs.

If there is a need for additional funding, for any of these programs, and if the administration chooses to increase program levels, then that appropriation amount out of Section 32 would have to be increased. With the limiting language in the appropriation act, it is subject to an appropriation action the same as any other regular funding program.

Senator **Cranston**. Except when Congress expressly directs you to spend Section 32 money, and since Congress did not expressly act to nullify its actions in Public Law 92–32, during the appropriations process, you have authority to spend that money.

Mr. **Springfield**. Not without appropriations action.

Senator **Cranston**. I believe you have. Section 32 money, when Congress has directed you to spend it for these purposes, it does not require further authorization.

Mr. **Springfield**. Not a further authorization.

Senator **Cranston**. Or further appropriation.

Mr. **Springfield**. The Section 32 language——

Senator **Cranston**. That is a matter we will have to discuss further.

Senator **Bellmon**. Could you give us the language?

Mr. **Springfield**. Section 32, there is a set of language like any other program. In fiscal 1972—well, I better talk 1973. Fiscal 1973 we are proposing to use $457 million for a range of child nutrition programs including supplemental food programs funded from Section 32 and money for the summer program. Now——

Senator **Bellmon**. That is the Summer Lunch Program up to July 1?

Mr. **Hekman**. 1973, after.

Senator **Bellmon**. You are talking about fiscal 1973?

Mr. **Springfield**. Yes.

Senator **Bellmon**. Ending July 1?

Mr. **Springfield**. No, beginning July 1.

Senator **Bellmon**. You do have money to continue the program after July 1?

Mr. **Springfield**. If we get the appropriation bill as proposed by the President, it would provide funds for fiscal 1973, including the use of money from Section 32 for this program as well as a number of others.

Senator **Bellmon**. You are proposing to use $457 million of Section 32 funds which would cover the $25.5 million for the Summer Lunch Program?

Mr. **Springfield**. It covers a portion of it because a portion is out of this year's funding. It covers a portion of the summer.

Senator **Bellmon**. You are sure you have money up to July 1. We don't have to worry about that?

Mr. **Springfield**. Yes, sir.

Senator **Bellmon**. Those are available, no strings attached.

You are saying that the part coming out of the $457 million is not available until Congress takes further action?

Mr. **Springfield**. Either a continuing resolution or passes the appropriation bill itself. If there is a need for more money and a decision is made to seek more money, then we require an increase in this $457 million usage of Section 32 funds by appropriation action.

Senator **Bellmon**. Well, it seems to me that the Congress—or someone—is asleep at the switch. We started the program; and, if I were a mayor and knew I had only money for 30 days, I would be very careful to enter into it. You can't turn these programs off and on that way. Has the Department given any thought to recommending to Congress we make these funds available for a full summer? Not for just a third of a summer and then have to wait until we have appropriate action for the full program to be funded.

Mr. **Hekman**. What you are pointing out, Senator Bellmon, of course, is true of all our programs. I testified at both the House and the Senate seeking better than $4 billion for the programs beginning fiscal 1973. In the same contention, all of our programs are in the same relationship.

Senator **Bellmon**. But it wouldn't seem to be a problem with, say, the School Lunch Program because the school year falls within the same fiscal year.

Mr. **Hekman**. It also includes the better than $2 billion Food Stamp Program, the program for the delivery of commodities, and all the other—the year-round program of day care centers, the entire list of our total direct programs.

Senator **Bellmon**. I can't see there is quite the same comparison here. A summer feeding program lasts 3 months and then discontinues. As it goes now, we fund a third of it. There is always the danger we won't get around to funding the balance of it until the summer is gone.

Mr. **Hekman**. What you are pointing out, Senator Bellmon, is that it does have this peculiar aspect and hopefully sometime we can consider this program which splits 2 fiscal years, that we could consider it separately like that it would be very helpful to us.

Senator **Bellmon**. It seems now is a good time to do it. We are in the process of considering needs for this coming year. It seems to me the Department should figure a recommendation for the Congress that it could be funded for the full summer.

Mr. **Hekman**. The authorization for the program runs out in the summer of 1973, and that might be the time to reconsider the legislation on this and set it up in a different way.

Senator **Bellmon**. Well, could you have your bill drafters prepare the language that could accomplish the objective of funding it for the full summer?

Mr. **Hekman**. We would be happy to work with your office on that.

Senator **Bellmon**. One other round of questioning. Our earlier witness, Mayor May of Rochester, gave indication that the full cost of the program in his city had been more than $3 Federal, $1 local. Is this the situation we have nationwide? Is the Congress and the Federal

Government paying about three-fourths of the cost of this program generally?

FEDERAL COST IS 100 PERCENT IN LARGE CITIES

Mr. HEKMAN. Well, I would be happy to submit figures in greater detail, but basically in the larger cities the out-of-pocket costs is 100-percent Federal. Now, the way that came about is because the law contemplates 80-percent Federal and 20-percent local. But the way it is worked out is with the use of volunteers, also as you saw it on the screen. A credit is given for input of volunteers into the program at a level that they feel is fair as per hour of work. That is frankly how the 20 percent gets in there.

So, in many of the larger programs, the out-of-pocket cost is entirely Federal.

Senator BELLMON. Do you find this system satisfactory?

Mr. HEKMAN. Personally, I think if there was a heavier input of local funds, you would have better programs because—well, for very obvious reasons. This is the way it has been set up and to designate volunteer funds this way does seem to be a sensible way of doing it. It involves a lot of people in the community and, of course, that is a good thing.

Senator BELLMON. Do you feel that this program can be administered by volunteers, to this extent?

Mr. HEKMAN. Where it is administered the best, there is a use of volunteers and I have used Detroit as an example where they have been successful in using volunteers. There are some built-in problems with volunteers. To rely too heavily on volunteers and not upon paid administrative people in the city, in other words, the person who is directing the program and where I saw really good programs, Senator Bellmon, are some of those I alluded to there, it was with paid people, with an adequate addition of volunteers. But where the real program direction came from, professional people who knew how to run a program at a camp, a day site—the way I saw it in Chicago.

Senator BELLMON. I have tried to run political campaigns with volunteers and you get a variety of results—to say the least. The question is—When you are handling a program of this size and this responsibility with volunteers—whether they can be relied upon firmly? It seems to me there ought to be a limit of profession funding.

Mr. HEKMAN. You are so right, Senator. That is the way it has to be. In other words, the person directing the activity of those children. You can use volunteers to help make the lunches and that sort of thing, but directing those programs and keeping those records and having somebody there who is going to estimate the day before how many children are going to be there so that they can let the caterer know to deliver 400 lunches and not the 600 that was delivered the day before because she knows there aren't going to be 600 there, it is that sort of thing where it takes professionally trained people. In the Chicago program and others that I saw that was what was going on.

Senator CRANSTON. Let me point out the chairman of this committee got pretty good results from volunteer workers in Wisconsin.

Senator BELLMON. The thing I am getting around to is this: If our law allows the cities' contributions to be made through the work of volunteers and requires really no appropriated funds, I can see two things happen.

First, I can see a rather lax administration in the program; and second, I can see an almost insatiatable appetite on the part of the city for more and more Federal funding.

Wouldn't we be wise to require a 90-10 matching program—75-25 or something like that—some level of actual funding?

Mr. HEKMAN. Mr. Davis has looked at these type programs.

Howard, would you like to comment on thatt?

ORIGINAL INTENT FOR MATCHING FUNDS

Mr. DAVIS. Well, I think, actually in the administration of the program we have veered a little bit from the intent of Congress and the law itself for that matter. This 80-percent Federal contribution was supposed to be made only in cases of extreme need, I think is the language in the act.

It was never contemplated that the Federal Government pick up 80 percent of all of these programs; and, where we did, it was contemplated that there would be 20-percent solid, local input.

In the recent June 30, 1971, legislation, however, that was changed somewhat and the decision was made to allow in-kind contributions, the time of volunteers priced out at the going wage in the community, and that sort of thing. We have felt that the programs would be stronger in many places if there were, in fact, at least this 20-percent contribution.

Now, in many programs throughout the country they are operating on the basis of our reimbursement rates per lunch, which is 30¢ for a lunch, and are not asking for this 80 percent of the total cost of operating the program. They are not asking for using volunteers to offset the 20 percent so that there are many programs where the local input is much greater than 20 percent.

But this is an activity that is added on to the total city programs. They are faced with some serious problems of financing if they want to have a program of this sort.

We feel that the real probem here is in a nucleus of trained people, adequate planning, and running a program that accomplishes what the Congress intended rather than just the funding angle of it.

But it was never intended that this be a 100-percent Federal program.

Senator BELLMON. You are saying that you feel the present matching arrangements would be satisfactory, if the administration was closely enough supervised. That there is no need to change that part of the program, that feature?

Mr. DAVIS. No, sir. I think that's right. The real push here is to get good, well-run programs that will accomplish the results.

Senator BELLMON. Mr. Chairman, I have no further questions.

Senator CRANSTON. Thank you very much. It was a very constructive period of questioning.

I would like to pursue this just a little bit more.

Sticking strictly to this fiscal year, for a moment, what has happened to the $135 million? Has that been spent? Is it still available or what?

Mr. Hekman. Go ahead, Jim.

Mr. Springfield. The Special Food Service Program for children, including year-round programs in day care settings, is funded for this fiscal year from three sources: regular appropriations of $20.775 million, a special $17 million appropriation, and then there was the use of some $11 million of Section 32 money for summer feeding.

The total program level is $49 million, and that's what we programed against for this current fiscal year. We have $6 million programed for June 1972 out of the $49 million available for this fiscal year—the first month of the summer.

Senator Cranston. Would you relate that to the $135 million?

Mr. Springfield. Well, we used $11.225 million of Section 32 funds for the current fiscal year as specified in the appropriation act of August 10, 1972.

Senator Cranston. Well, what has happened to the $135 million?

Mr. Springfield. The $135 million is basically an authorization, and as I tried to explain unsuccessfully a minute ago, to appropriate against that requires appropriation action. We in essence have appropriated against that in the 1972 appropriation bill, $11 million of Section 32 funds.

Senator Cranston. We really have a difference of opinion* over your ability to use funds from Section 32 as directed, and whether or not you were willing to request funds from the supplemental appropriation to pay back Section 32—again as directed.

Now, in accordance with Joint Resolution 157——

Mr. Springfield. The issue seems to me to be the appropriate program level. We obviously have concluded that the program level which is contemplated for this current fiscal year is adequate.

I assume others could claim it is not adequate. Basically, that's the issue, it seems to me.

Senator Cranston. The issue is that Congress feels that money is available to you now without your having to wait for it, and for further appropriation action. You apparently feel it is not.

Mr. Springfield. That is correct.

Senator Cranston. We have just come to an impasse on that point. But looking at what happened this year, $640 million was transferred out of Section 32 for the food programs.

Why is only $475 contemplated for that purpose in this fiscal year, 1973, when there is generally more money flowing into that fund?

Mr. Springfield. There are two or three questions there.

To begin with, the last one first, it is true there is more money going into Section 32. When you look at this, you have to look at what is going into it, plus what was carried over from the previous year. When you do that for the 2 years, you find that the total amount in 1972 and 1973 is approximately the same. Now, the——

Senator Cranston. That is precisely the issue of the payback money under the joint resolution. If you do that, if you request money in the supplemental appropriation—as you were directed to—you have more money in the program. Do you state that that money is not available for payback?

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*See Appendix 1, p. 582.

Mr. Springfield. Not available for payback, but it requires appropriation, obviously. The payback provision in the Joint Resolution (P.L. 92–153) in our opinion is only to see use of Section 32 funds in school programs.

Senator Cranston. Well, Congress instructed you to request, in the second supplemental appropriation, money to pay back Section 32 funds that were used for that purpose. You failed to do that, correct?

President's Budget Did Not Include Payback

Mr. Springfield. The President's budget does not include that.

Senator Cranston. Did you make any effort to get that payback?

Mr. Springfield. All I can say again is that the President's budget didn't make the request.

Senator Cranston. Just one other line of questioning, and I think it will be quite brief: Is it true that last year the program was an 8-week program, but this year it will be a 12-week program?

Mr. Hekman. That is true in some communities, but in many communities it was a 12-week program.

Senator Cranston. Can we say that most programs last year were of 8 weeks' duration, and that this year most will last 12 weeks?

Mr. Hekman. Mr. Dickey?

Programs Average 10 Weeks

Mr. Dickey. Mr. Chairman, I would say a 10-week program, 8- to 10-week program, last year was more the rule. Now, there are several reasons for that.

Some have been alluded to here, and I don't think that a 12-week program this year is a predominant pattern. It does occur in some areas. I also see trends of the 8-week and the 10-week again.

Senator Cranston. If it was generally 8 weeks last year and we are seeking to move toward 12 weeks this year, that would require a 30–50-percent increase to stay where we were last year in terms of the amount of food to be made available, and the number of children to be covered. What you have asked for is a 25-percent increase. There is a question there of whether that is adequate to keep pace.

Second, I understand there are going to be larger programs in some States and communities this year, and they will endeavor to serve more children?

Mr. Hekman. That is correct.

Senator Cranston. That would require more money if the same amount of food is to be made available to each child. Some programs started small and will be expanded this year, is that right?

Mr. Hekman. Some, as I indicated earlier, are going to hold last year's level.

Senator Cranston. Some will be expanded—this year they will open with the number of children being served at the end of the program last year?

Mr. Hekman. Last year's total funding?

Mr. Davis. I think, Mr. Chairman, that undoubtedly there will be more meals served to more children over a longer period of time this summer than there was last summer. There are a number of programs that would have liked to have run for 8 weeks that ran for 6 weeks.

Our best judgment is that, except in exceptional cases, the local communities would not plan for as long as a 12-week program. I think a 10-week program would be more the rule.

Now, it is true that many programs that ran for 7 or 8 weeks last summer might well run for 10 weeks this summer. This is part of our estimate for a 25-percent increase in expenditure for this year over last year.

Senator **Cranston**. But there is a third element involved. Senator Kennedy, who could not be here this morning, asked that we ask one question for him. That is: "Whether or not, in your estimate, funds will be available for expanding summer feeding programs to include cities that did not operate a program last year, such as Boston?"

Mr. **Hekman**. That is covered in priority No. 2, in priorities we have set up.

$25.5 Million to Provide Full Coverage

Senator **Cranston**. I find it hard to understand how, with the $25.5 million you have budgeted you will be able to cover programs which run longer, serve more children and include new cities that were not covered last year.

I find it hard to see how the $25.5 million, even if it represents a 25-percent increase over the last year, is going to enable you to keep pace.

Mr. **Davis**. Well, all of the programs are not going to increase over last summer. Many of the communities found that they over extended themselves last summer in the number of sites and the kind of sites they had.

We have some indication that some communities are going to have a smaller, more manageable program this year than they had last year, and all of the programs didn't run for only 6 or 7 weeks.

There were many, many programs, around the country, where they had sufficient funds to fund the program they wanted, to start it when they wanted, and carry it as long as they wanted.

So this isn't a universal sort of thing. There is a balancing element.

Mr. **Hekman**. We have done—I think, Mr. Chairman, we tried to take those factors into consideration in setting this budget. Again, we are working very closely with the States now, and we will have a better idea of the program level when we get these reports—we'll have a better idea of what the States feel they need after May 1.

Senator **Cranston**. You will have your figure by May 1?

Mr. **Hekman**. Early in May, I should say, as I did earlier.

Senator **Cranston**. Programs start when, June 12?

Mr. **Hekman**. That varies.

Mr. **Dickey**. It varies.

Mr. **Hekman**. Some start when school ends and stop early. Some start a little later and go nearer the end of the summer.

Mr. **Davis**. The bulk probably start around the middle of June.

Problems of Timing

Senator **Cranston**. You have two difficult time problems. One is this problem of giving adequate notice of the availability of funds.

Apparently much of the confusion that occurred last year resulted from your failure to give the cities enough notice to allow for proper planning.

Secondly, Congress has the problem of not being advised in time to increase appropriations for the program. We seem to be confronting some of these same problems again. We are going to try to resolve after this hearing whether or not you do have authority to spend Section 32 funds without appropriation action. We differ on that.

The Agricultural Appropriations Subcommittee completes its hearing next week. That is next Friday. You won't have your survey results until the following Monday. You want to analyze it by early May. How we come to grips with the appropriations on that schedule, I don't know.

I simply urge you do all you can to analyze the material becoming available to you on the 17th, as rapidly as possible, and to advise us immediately so that an effort can be made to increase the appropriations.

In short, we have two problems. One is estimating the number of children who will be participating. The other is our ability to appropriate enough money to meet that need. We need to balance those two points at the earliest possible moment.

Mr. HEKMAN. We will be happy to cooperate with the committee.

Mr. DAVIS. This is the reason we set the deadline date for the applications originally April 1. I think the local people were quite right in saying that they just couldn't meet that deadline if they were going to do the proper planning.

Senator CRANSTON. When were the final recommendations published?

Mr. DAVIS. They were published March 25.

Senator CRANSTON. March 25—then they had 7 days.

Mr. DAVIS. No, sir. They had their handbooks early in February which gave all the rules of the game. The final regulations—the changes that really affected the program planning—were rather minor.

Senator CRANSTON. We are going to hear from Boston and other cities now as to how they have seen the timetable that we are operating on. It's almost as difficult as Amtrak.

Thank you very much for being with us. I hope we haven't upset your schedule.

Mr. HEKMAN. Thank you very much.

Senator CRANSTON. For the next panel, since we are pressed for time, please let Mr. Nugent proceed first if that is satisfactory.

Please identify yourselves.

STATEMENT OF WILLIAM M. NUGENT, ASSISTANT TO THE MAYOR OF DETROIT, MICH.

Mr. NUGENT. I am prepared to start.

I am Bill Nugent, assistant to Mayor Roman S. Gribbs of Detroit. He was unable to come this year and regrets his inability to be here.

Our concern, as city officials, is to reach all the people who need food—to win notification of funding levels and the provision of funds early enough to prepare, and to run the program efficiently, so each child might receive his due, and so the public, the administration, and the Congress will see the money well spent and continue to support this program.

To reach all the children may require some additional congressional action. As has been brought out this morning, the law requires that participants in this program participate in day care, day camping, recreation, and settlement-house activities.

While this is useful to us in increasing voluntary staffing of recreation programs for poor youth, it leaves us no adequate response to the mother of a poor child who asks why her youngsters must go without food because recreation, day care, and settlement-house activities are unavailable.

MEETS SPIRIT OF THE LAW

This may be one of the problems regarding the New York situation. Mr. Rorex of the USDA indicated to me, last year, that New York City had simply opened feeding stations. I feel, however, they were providing food to poor youngsters in the spirit of the law—meeting Congress' intent.

Our effort to reach all children in need is closely linked to funding levels. We fed 27,000 in 1970. This year we hope to reach 81,000.

We have 125,000 youngsters in the city of Detroit who will meet these guidelines and need the food.

The Department of Agriculture cast doubt on the League of Cities Conference of Mayors' surveys. They said the cities asked $33.5 million for this program last year but spent only $20 million, thereby belying the need for the program. The USDA says this means the cities' needs were not as high as claimed.

You are aware of the problems of funding. In early June 1971, Assistant Secretary of Agriculture, Mr. Lyng, indicated only $7 million was needed.

Two weeks later, the cities conducted a survey and found $33.5 million was needed. It wasn't until July 8 that Mr. Shultz wrote Senator Clifford Case that the President wanted all these programs funded. That is July 8. We were already a month through the summer.

As a result, there just wasn't time. Obviously, a month of the program time had already gone by. That would take care of at least a third of the $33.5 million required.

The only reason we, in Detroit, managed to reach 56,000 youngsters last year was because of our hope Congress would correct the USDA's mismanagement of the program—the Detroit Common Council advanced $100,000.

We started with 4,800 daily, and increased that modestly over the first 2 weeks. When the USDA notified us we would receive the full $1.3 million requested, we expanded to the full 56,000.

Meanwhile, Kansas City closed its program after 10 days when the USDA told them they would receive only $23,000—an amount the city had already spent.

I am not being critical of Kansas City. Their wariness was justified.

Then when the USDA notified Kansas City, 2 weeks later, the full $270,000 would be available, it was too late for the city to restore its full program. It was too late for Kansas City to rehire its workers, to reinstate its contracts, and to reestablish contacts with thousands of disillusioned poor children who had been promised a meal.

Detroit's experience was the exception, Kansas City's the most common.

The cities' summer 1971 expenditure of $20 million should be seen as an extraordinary recovery from the USDA's mismanagement of the program—not a misjudgment of their own needs.

The $52.5 million requested this year should not be seen as a sharp increase over last summer. Last summer's survey was hastily done and may have overlooked some of the need.

I think this year's survey accurately states the need across the country. I await your future questions on some of these points.

LOOK FOR PROGRAM'S NEED NOT ABUSES

In summarizing let me say—Mr. Hekman and his colleagues spent a great deal of time looking at abuses of the program. USDA officials voiced concern that suburban mothers are going into the innercity and picking up lunches and taking them out of the innercity.

I have no first-hand knowledge and cannot disprove such charges. I suggest you view them in perspective and with skepticism.

Any program of this size is bound to have abuses. Abuses are few and far between. It is hard for me to believe that many nonpoor would travel very far to get a bologna sandwich, an apple, and a container of milk.

I have read Mr. Hekman's testimony and, while recognizing the difficulties inherent in the administration of this program, I must say that the USDA seems to be far better in finding abuses than it is in accurately ascertaining the need.

I can't refute his charges, but I hope you will keep them in perspective. The Summer Lunch Program served more than a million youngsters a day last summer. Those cases in which youngsters carried off extra lunches are an indication of the dire need. Those lunches, while nutritious, are not gourmet delights to be the object of many raids.

Mayor Gribbs would like to commend the Vice President in his role this summer. The mayors met with the Vice President and voiced their concerns for this program. Since that time, the USDA has been more cooperative—though not acknowledging the extent of the need.

If I may, I would like to comment on several points raised earlier. I would have suggested to the USDA that, rather than pull back from its April 1 deadline for the submission of this year's applications, the cities be asked to apply as of that date with the best estimate of need available. This would have given the Congress and the USDA a more timely and relatively accurate picture of the problem. The cities would then have been permitted to perfect their applications at some time subsequent to the April 1 deadline.

With regard to the local contribution of volunteer time, nowhere do volunteers comprise 100 percent of the local contribution. We have very adequately qualified professionals who work closely with volunteers throughout the community, organizing them to provide this service.

This is not something just left to people who may work and may not work as they are able or see fit. They are organized by capable professionals. Detroit's local contribution of $280,000 included the time of professionals as well as unskilled volunteers.

If we were required to come up with a cash contribution of that sort, our program would be decimated, literally. Not decimated, but reduced by 90 percent. The city just laid off 1,507 people 6 weeks ago because it doesn't have money. We cannot come up with $280,000 or $300,000, so needed to match Federal funds to feed our poor children.

Detroit and other cities are concerned that the food go to the most needy—to provide them the food and to forestall criticism that may cut that food off in the future.

We are anxious to give the best program possible and hope we will have the resources.

PREPARED STATEMENT OF WILLIAM M. NUGENT

Mr. Chairman, gentlemen of the committee, I am William M. Nugent, an assistant to the Mayor of Detroit, Roman S. Gribbs. The mayor testified before this committee on this same subject last year; he regrets his inability to be with you today. He is completing review of the city's fiscal year 1973 budget.

Nevertheless, Mayor Gribbs insisted that the city's concern for the future of the Special Food Service Program—and particularly its summer component—be presented to you. I have been involved in the development of the program in Detroit and have had significant contact with the operators of similar programs elsewhere in the country.

I have been asked if Detroit and cities in general "like" the program. There is no question of "liking" it; it is essential to the healthy growth and development of millions of poor children.

Each day throughout the year the Special Food Service Program provides tens of thousands of pre-schoolers their only nutritionally adequate meal. During the summer this same program gives at least one adequate meal a day to more than two million poor school-children whose food needs are met during the balance of the year by the School Lunch Program. In effect, the Special Food Service Program tides these students over from the close of school in June until the reopening of school in the fall. Whether the cities like the program or not is not the issue; their poor children must have the food it provides.

Our concerns as city officials are to:

1. Reach all the children who need this food;
2. Obtain enough money to provide each poor youngster at least one nutritionally adequate meal each day;
3. Win notification of funding levels and the provision of funds early enough to properly prepare the program, and
4. Run the program efficiently so that each child might receive his due, and so that the public, the Administration, and the Congress will see the money well spent and continue to support the program.

To reach all the children will require an even more extensive search by city officials to find those who are poor and ill-fed. But it will also take some Congressional action.

As the law now reads, Special Food Service Program participants must be enrolled in recreation, day-care, day-camping, or settlement-house activities. While this requirement has been useful to Detroit officials in increasing voluntary staffing of recreation programs for poor youth, it leaves us no adequate response to the mother of a poor child who asks why her youngster must go without food because recreation, day-care, day-camping, and settlement-house activities are unavailable in her area. While this requirement was well intended and it is our goal to provide such services, the law unnecessarily restricts our effort to reach all children in need.

Our effort to reach all children in need also is closely linked to funding levels and allocations. Our exemplary program finally fed 25,000 poor, young Detroiters each day in summer 1970 and nearly 56,000 each day last summer. This year we hope to reach 81,000 youngsters daily.

But even this massive program will not provide for all of Detroit's poor youth. The census tells us that there are more than 125,000 young Detroiters whose family income would qualify them for this Program.

Last summer our program cost $1,071,000; to reach 81,000 youngsters this summer will require $2,667,000. Our request for $2.7 million is part of a nationwide need surveyed by the National League of Cities and United States Conference of Mayors to be $52.5 million. If other cities' experience is similar to ours, that $52.5 million should reach approximately two million needy, hungry children—a small fraction of the total need.

In all likelihood the Department of Agriculture will dispute this estimate of national needs. Its representatives will say that, while the cities called for $33.5 million last summer and were provided $29.5 million, they used only $25.5 million.

This apparent discrepancy shows no flaw in the cities' estimates of their needs. Rather it flows from a gross ignorance of the national need on the part of the Department of Agriculture. Last June, for example, Assistant Agriculture Secretary Richard Lyng told Congress that $7 million would be adequate for last summer. (His $7 million list showed Michigan needing $636,000; yet Detroit alone had requested $1.3 million.)

Two weeks later, with the Nation's mayors assembled in Philadelphia for their annual meeting, Agriculture began notifying the cities that there would not be enough money to fund their programs. Suddenly aware of the total inadequacy of Agriculture's reporting system, the mayors hastily conducted their own survey, which showed the national need to be $33.5 million.

Through the efforts of this Committee, other concerned Members of Congress, and the nation's mayors, the Administration was made aware of the true need. On July 8 Office of Management and Budget Director George Shultz wrote Senator Clifford Case that:

> . . . because of the President's very strong feeling that needy children should have fully adequate and nutritious meals, we agree with the Department of Agriculture that the applications from the various cities and states should be accepted and approved . . .

As a result $29.5 million was made available and $25.5 million was spent.

I repeat this only because Agriculture is tying each city's summer 1972 allocation to its summer 1971 expenditure. Agriculture's published funding priorities are:

1. Previously operating programs at their summer 1971 level;
2. New programs, and
3. Increases in previously operating programs.

But last summer's performance is a poor guide to this summer's need.

The only reason we in Detroit managed to reach 56,000 youngsters daily by the end of last summer was because, in hopes that Congress would correct Agriculture's ineptness, the Detroit Common Council authorized the borrowing of $100,000 to start the City's program. We started with 4,800 youngsters daily, increased that modestly over the first two weeks, and then—when Agriculture notified us that we would receive the full $1.3 million requested—expanded to the full 56,000.

Meanwhile, Kansas City, Mo., which had wanted a $270,000 program, closed its program after 10 days when Agriculture told it that it would receive only $23,000, an amount Kansas City had already spent. I am not being critical of Kansas City officials; their wariness was justified.

But, when Agriculture notified Kansas City two weeks later that the full $270,000 would be available, it was just too late for that City to restore the full program. It was too late for Kansas City to rehire its laid off workers, reinstate its broken contracts with food suppliers, and re-establish contacts with thousands of disillusioned poor youth whose expectations of at least one meal a day were shattered.

Detroit's performance was the exception; Kansas City's was by far the more common. Thus, the cities' summer 1971 expenditure of $25.5 million should be seen as an extraordinary recovery from Agriculture's mismanagement of the program and not as a misjudgment of their own needs.

The cities' request for $52.5 million for this summer should not be seen as a sharp increase in need over last summer.. Last year's survey was done very quickly and no doubt overlooked some of the need; the survey of this summer's need was more carefully done and is probably more accurate. If anything, it understates the need.

Tying summer '72 funding to summer '71 expenditures will not enable a city to reach all children it reached last year. Detroit fed 56,000 daily at the end of the summer—only 4,800 at the start. The full 56,000 will expect to be fed at the start of this summer's program, but funding at last year's level would enable us to reach only 32,500 daily throughout this summer.

In effect, given the short time in which cities had to spend their money last summer, an equal amount of money spent over the entire summer of 1972 would represent a significant cut in program level. For cities which eliminated or sharply curtailed their summer '71 program, there is no base for summer '72 funding.

The picture for summer '72 is further complicated by the possible early closing of school systems. Detroit, which is planning to feed youngsters for 55 days, may find its schools' summer vacation suddenly lengthened by 30 to 35 days. The City schools are facing a $50 million deficit, and, if the State legislature does not provide relief, may be forced to close its doors a month or five weeks sooner than planned.

And, Detroit is trying to expand its program to serve 81,000 youth this summer. We fear for our chances to reach last year's level much less the 81,000 we want to serve this summer.

Agriculture has indicated it will make $25 million available this summer. With the States of California, Illinois, and Massachusetts asking nearly $11 million, it is hard to see how we can receive $2.7 million, much less how cities with a low 1971 expenditure may be accommodated. You simply must make available $52.5 million.

You should also take a look at the formula method of distribution. The pattern of requests does not necessarily reflect the formula according to which Special Food Service Program funds are distributed.

Thus, while you may make available $52.5 million, needs will go unmet because the formula will require that a portion of the $52.5 million go to areas which are unable to use it. (You can avoid this by eliminating the formula or appropriating so much that, when the formula is applied, the areas of greatest need will be satisfied, and allocations in excess of need will remain in the Federal Treasury. But certainly you know best how to avoid such problems; I only urge your attention to the problem.)

Gentlemen, one final word about abuses of the program. Agriculture officials have voiced great concern that this program is being widely abused, that food is going to non-poor youth, that suburban mothers are driving into the inner-city to pickup lunches to take back to the suburbs.

While I have no first-hand knowledge of and cannot disprove such charges, I suggest you view them with a healthy skepticism.

Any program of this size is bound to have some abuses. In Detroit, for example, an opening day last year, a volunteer worker, finding too few youngsters at her site, gave left-over sandwiches to adults. A violation? Sure. But I applaud this woman's avoiding the wasting of good food. On the second and succeeding days the full complement of youth showed up, and there were no left-overs.

But such "abuses" are few and far between. It is hard for me to believe that any significant number of non-poor youth or mothers would travel very far to get a balogna sandwich, an apple, and a container of milk.

We and other cities are concerned that the food go to the most needy—both to provide them food and to forestall criticism which might cut off that food in the future. We are anxious to conduct the best programs possible, and hope that you will give us the resources to do that job.

Senator Cranston. Thank you very much.

I would like to proceed with each of you.

STATEMENT OF ARNOLD ROBLES, PROGRAM ADMINISTRATOR, ECONOMIC YOUTH OPPORTUNITY AGENCY, CITY OF LOS ANGELES

Mr. Robles. Mr. Chairman, the booklet was completed in February and is being distributed.

Senator Cranston. Which booklet are you referring to?

Mr. Robles. The booklet from USDA, the sponsored booklet telling you what to do and telling you how to organize and this kind of thing. I was one of the individuals that complained of the April 1 deadline and I am sure many others, as indicated——

Senator Cranston. When did you say you received that booklet?

Mr. Robles. March 14.

Senator Cranston. Mr. Hekman testified that was made available in February.

Mr. Robles. Yes. I had heard that same rumor earlier in March. I made a call to the Department of Education, State of California, asking for the booklet and they had not received them at that time either. Finally I did receive my copy.

On page 3,[*] under section 2, it tells you how to go about developing a program. In it, it tells you to evaluate the areas of need. I would like to show this map to you at this particular time. This is taken from the 1970 Census and is based on youth population, 0 to 21, in Los Angeles County.

The dark brown areas indicate that there are 3,000 or more living in that census tract area. The orange is from 2 to 2,099. The yellow from 1,000 to 199. And the white, less than 1,000. This is all youth living in Los Angeles County.

In order to determine then where the poverty sites are, we prepared a poverty overlay. The white area that we see here is poverty of 30 percent or more of the households. As you move to the next lightest color, it is 20 to 29.99 percent and the darker gray is 15 to 19.99. The very dark is less than 15 percent.

We looked at the map and said all right, this is where the poor people live. Let's start developing programs as called for in their next section which said alert the local people to the availability of program, contact interested groups, agencies, community groups, local school systems, et cetera. Prepare and distribute news releases to community newspapers.

We did this and we received up to this point requests for 175,000 meals.

I would like to read to you just one of them.

> In regards to your letter concerning the new summer food program of '72, Oriental Service Center would be more than willing to participate in distributing the lunches to underprivileged children. We would like to participate this year in the summer food program of 1971 so well in the Asian community. Last year the summer food program fed 200 underprivileged Asian youths substantial lunches. This year as the population grows, so does the number of underfed people. We would like to involve more youth in the summer food program.
>
> Each of our component agencies, Korean agency, Filipino agencies, Chinese organizations, and Japanese-American community are requesting 100 lunches each. All five components operate separate work sites so as to reach greater amount of people starting June 26th and ending August 31st.

This is an increase over last year and I am sure all the communities will see this kind of increase. All we are looking for is to be funded for the same amount that we requested last year. We requested $5.5 million. Due to its lateness, of course, we had to produce a much smaller program. Consequently our funding level this year will only leave $670,000 which is a long way from the $5.5 million.

The question that we ask, even with 175,000 people involved, we are still talking of roughly $3.7 million. We are doing exactly as they had asked us to do, involving the community, talking to them, encouraging them to participate.

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[*] See Appendix 1, p. 531.

Should we not, then, have some kind of indication from the Department of Agriculture early in the year in order to say only take some applications, only do certain things? But instead it is indicated that it was open, go ahead and do it, encourage, and then they come along and say this is all you can get.

Senator Cranston. Does that complete your opening statement?

Mr. Robles. Yes.

Senator Cranston. Thank you very much. It is very interesting.

STATEMENT OF STEVEN P. COHEN, REPRESENTING MAYOR KEVIN H. WHITE OF BOSTON, MASS.

Mr. Cohen. My name is Steve P. Cohen.

I am a member of the staff of Mayor Kevin H. White of Boston.

Boston has not had a Summer Lunch Program before. Last year's experience shows why that has been the case. We had several conversations with the State education department in which they told us it didn't look like there would be funds available. As a result, none of the agencies with which we were talking about summer program planning applied—for the summer feeding program.

At the very end of June and into July, moneys were released but by then it was too late because we were told all the money Massachusetts was going to get had been distributed to cities and towns that had their applications in earlier.

This year we have been attempting to follow the guidelines——

Senator Cranston. You were told you were too late to get in last year?

Mr. Cohen. Yes.

Senator Cranston. When did you get your application in last year?

Mr. Cohen. We did not apply. We were told it did not make sense to do so.

Senator Cranston. When were you told that?

Mr. Cohen. At first we were told that, I would say in April or May, and so it was just a conversational piece of information. Then in June, summer program planning was going on. At the very end of June the money was made available. All of a sudden, though, we were told it wasn't going to be available in Boston. We were going to start applying but then were told not to because it didn't make sense because all the money was previously committed.

This year we are gathering information about agencies that do want to run the program in Massachusetts. So far we have more than 40 sponsors in the city of Boston with close to 100 sites and, although there are probably 54,000 young people eligible because of income standards, we have only been able to identify 13,000 so far we would like to feed every day.

Even if we only feed the 13,000 a day and the program is run an average of 9 weeks, we are talking about an expenditure of roughly $300,000 Federal under the summer feeding subsidy program.

Our problem is that the entire Commonwealth of Massachusetts has an allocation of $157,000 and, under the present priority system, none of this money is available to Boston—because Boston had no program last year.

We are thus in the unpleasant bind as a city of suggesting to private and public agencies that they make application for a program even though the program we are selling may not be funded and the application process may be all wasted effort.

What frustrates us particularly about these famous handbooks, which are excellent, is that the handbooks only became available in Massachusetts in late March, with just 50 copies made available for the entire State. With over 40 sponsors in the city of Boston alone—and at least that many outside the city—there is really no way we can use the information presented in these pamphlets to develop programs. It is a very frustrating position to be in.

We believe that agencies in the city of Boston will not have a chance to operate a program this summer unless the funding level reaches a much more reasonable amount than apparently is presently appropriated. We would like to see if there is any help available.

I will stop my formal testimony at that point.

PREPARED STATEMENT OF STEVEN P. COHEN

Despite the existence of real need, there has not been any large-scale implementation of federally-aided summer feeding programs in Boston. Over 54,000 young persons in the City can be classified as members of low income families, and thus potentially eligible for subsidized feeding programs. If organized educational and recreational programs could reach all of these eligible youngsters during the twelve-week summer period, the various agencies involved could spend as much as $1,620,000 of Federal money to provide daily feeding programs.

In 1971, several public and private agencies in Boston contemplated introducing summer feeding programs for poor youngsters. During the latter part of the Spring of that year, we were led to understand in conversations with employees of the State agency (the Department of Education) and the local office of the Department of Agriculture, that there was real doubt that funds would be available for prorgams in Boston. As a result, summer program planning by the various agencies involved did not focus on providing feeding to participating youngsters. At the very end of June 1971, the White House released some of the funds we had been told would be available, and it looked as if summer feeding might be undertaken. At that point, however, we learned that the money available for Massachusetts would only cover programs that already had applications on file at the State's Department of Education.

This year, 1972, we do plan to apply for summer feeding money for several programs in Boston even though several obstacles could prevent our being funded:

The State has been told it will be funded only at the 1971 level.

Programs that were funded in 1971 have first priority on money for this summer—and then, only up to the 1971 level of funding.

Although the original due date for applications was April 1, 1972, agencies planning to apply in Massachusetts were not able to get copies of the application forms until the last week of March.

Some excellent handbooks prepared by the Department of Agriculture that explain summer feeding program operation and the duties of sponsoring agencies are not yet in adequate supply for distribtuion to agencies that are contemplating applying.

Even though the application due date has been changed to April 17th, we are still having difficulty elicting applications from many agencies that wonder why they are being asked to go through the application procedure for a program that is clearly underfunded. If the funds are not increased to make it possible for cities like Boston to get summer feeding programs, it will mean the offer of summer feeding money is just another replay of the unkept promises routine that makes low income people and agencies that serve them distrustful of every level of government.

With the cooperation of the Massachusetts Department of Education, the City of Boston has been canvassing public and private youth agencies throughout the City to determine what programs will operate this summer that could be used to provide summer feeding to eligible youngsters. Cooperating agencies include the City's Youth Activities Commission, Parks and Recreation Department, and Model Cities Program as well as Action for Boston Community Development (the City's anti-poverty agency), and United Community Services (the consortium of agencies supported by Boston's United Fund).

In all, nearly 40 different sponsoring agencies plan to submit applications for funds for the feeding program for this summer. These agencies contemplate providing food this summer to at least 13,100 eligible children per day. Other agencies and other programs may also make application.

If all of these programs can be funded and implemented for this summer these agencies could spend in the area of $240,000 (assuming a daily outlay of $.50 per child).

Clearly, a program of this scale only does part of the job, reaching as it does just more than one-fifth of the eligible children in Boston. The tragedy is that given present funding levels and the current restrictions on spending priorities the program outlined above for the City of Boston calls for merely double the amount of federal subsidies now available to the entire Commonwealth of Massachusetts.

Inasmuch as the current allocation for Massachusetts is not even available to Boston because we had no program last year, quite clearly without speedy action at the federal level there will be no food available for Boston's youngsters this summer.

Senator Cranston. I thank each of you for your helpful statements and whatever written statements you have prepared. We will accept them for the record.

I would like to direct three brief questions to each and all of you. If you would like to expand in writing, we would be happy to get it in more detail.

First, do you feel these programs can be administered?

Mr. Robles. I personally feel so, Senator. I think we have two things here: No. 1, two of the largest users in our program are the Los Angeles city school system, the Los Angeles County school system; the city and county of Los Angeles itself compose the majority of our lunch program. I am sure that these agencies would not involve themselves with us if they did not feel that we had the administrative capabilities of conducting the program.

So I feel that the mismanagement was probably far and few between when you look at the total complexity of the program in itself.

Mr. Nugent. I would echo Mr. Robles' comments here. There is no doubt in my mind this program can be efficiently managed. That's not to say perfectly managed. You are always going to have some situation where food goes to someone who doesn't need it.

Won't Waste Food

We had a situation in Detroit last year, opening day last summer, where the predicted number of youngsters didn't show up at one site. The volunteer worker gave the food to people in the neighborhood without checking income qualifications or whether they were youth. The fact remains that food would have been wasted. I would suggest that she had done a good thing in that case. The next day a full complement of people were there, and on succeeding days it was well administered. We have a 2-year record of administering this program tightly. We keep timecards on all volunteers, and I think it is quite possible for everyone to do similarly.

Mr. Cohen. We sincerely intend to make sure it is very tightly run. There are many different kinds of agencies, in the city, involved with the administration of the programs. We are going to try to oversee them as best as possible.

Mr. **Nugent.** Could I add one point?

Senator Cranston, I think any unreasonable restraints placed on this program in order to insure proper administration would drive the costs out of sight. There was a question this year as to whether the regulations would require the income certification of each child. Well, we just don't have the time or the staff to do that cost of thing, not when we are laying off 1,500 people.

Senator **Cranston.** You were all three present earlier when Senator Bellmon and I, and also Senator Percy, were pressing Mr. Hekman on the matter of adequate funding. Specifically, I questioned him about whether the 25-percent increase over lunch programs were getting up to that arbitrary figure that they had picked for the moment of $25.5 million was adequate in view of expanded programs, new programs, and longer communities.

How do you feel the 25-percent increase will meet the needs in your specific community?

25-Percent Increase Inadequate

Mr. **Nugent.** Totally inadequate in Detroit's case, Senator. Last year we started out with 4,800. We reached 56,000 at the end of the summer. When you average the costs, we were hitting maybe 30,000, 35,000 throughout the summer. Of the 56,000 who left the program at the end of the summer, many will be looking to that again this summer. To feed that many, it will require $1.842 million.

Senator **Cranston.** How much of an increase, percentagewise, is that?

Mr. **Nugent.** Approximately 75-percent increase, just, first of all, to reach the number of youngsters we reached by the end of last summer.

Senator **Cranston.** How many more kids are there that should be reached?

Mr. **Nugent.** We hope to reach 25,000 additional. That's the amount we feel we can organize to reach. We can't reach everyone yet. The total need will be $2.7 million—more than a doubling of our program.

Senator **Cranston.** What about Los Angeles?

Mr. **Robles.** I wonder where they obtained their 25-percent increase. I looked back to the latter part of March and I received a phone call from Mr. Bradley from the Department of Agriculture, San Francisco; this was about 8 or 9 o'clock in the morning. He said, "How many people are you planning on feeding this year, can you give me a figure right now?" I said, "It is kind of impossible to give you a figure right now. I haven't even totaled the number." I said, "I will attempt to do it this morning and you can call me back."

I had a girl run a tape on all the requests that we had had, and it was within the hour he called back, and he said he needed the figures because they had to be submitted to Washington that day. So I gave him what I had, which was 175,000, and I was just wondering if this same type of phone call went out to other people, getting a snap judgment, and then, if this is the way they developed the budget figure. If so, they are in error.

The other part of the question was that I think that the 25 percent is very inadequate. In our particular case, it wouldn't even begin to help us answer our total need. Our last computer runout on poverty youths in Los Angeles County totaled 600,000 youths that can meet the requirements for this particular program; and we are looking at 200,000 to 250,000 at this time.

Mr. NUGENT. Senator, the one point is that schools in Detroit and in other cities around the country may close earlier this year because of financial difficulties they are encountering. Our summer may not be the 11 weeks for which we are planning; it may be increased to 16 weeks.

Senator CRANSTON. I would like to ask you, Mr. Robles, about the 80–20 funding that Mr. Davis said was available. Do you have anything to——

Mr. ROBLES. Yes. I was going to bring that up for the simple reason it seems like people out in the field don't know what USDA is doing here in Washington. At a meeting held on April 5, this last Wednesday, we had representatives from Ventura to San Diego County. In attendance were Mr. John Weber, director of the Food Service Bureau for the State of California. We had Mr. Don Score, SDA regional office, San Francisco, and Mr. Jack Bennett, SDA office, San Francisco, at the meeting.

Mr. Weber suggested to the group that we use the 80–20 that was spoken of earlier this morning. He suggested using it for the simple reason that the 30-cent lunch is almost unheard of with the rising food cost and delivery added into it and all these other things. He was encouraging the 80–20. Mr. Bennett immediately made the statement. He said, "I hate to throw a wet blanket on you, but we will look very closely at 80–20's, and as a matter of fact we will discourage them and only encourage the 30 cents." At that particular point, Mr. Weber and Mr. Bennett got into a little debate on this and it was never settled.

Evidently we will be receiving some notification from either one of the two parties as to how it is going to work.

Here again it was—it created a little bit of confusion to all of these people; there were roughly 50 of them that registered in that morning for this program.

Here was a program to outline the sponsors handbook on April 5 with a deadline of April 17 to submit applications.

Again it is just a—cutting things very, very close.

Senator CRANSTON. Thank you.

Mr. Cohen, how much money are you seeking for Boston?

Mr. COHEN. Roughly $300,000.

Senator CRANSTON. How many children will that enable you to feed?

Mr. COHEN. About 13,000 a day.

Senator CRANSTON. How many more need to be fed?

Mr. COHEN. Well, 30,000 or 40,000 more.

Senator CRANSTON. Do you feel you are not prepared to handle and distribute and so forth?

CAN'T DEPEND ON THE USDA

Mr. COHEN. Our problem is we can't elicit applications from any more agencies. They don't trust us and—because we have been encouraging them to apply for the program, but we are not confident that there will be any money available. They have to do their planning well in advance and as of 3 p.m. yesterday, we only had 13,000 children identified in programs that were willing to extend themselves to apply. I suspect there are probably closer to 20,000 in organized programs around the city.

Senator **Cranston**. The main problem is that you haven't been able to know what you can depend on from the Department?

Mr. **Cohen**. We have been told we shouldn't depend on anything.

Senator **Cranston**. Mr. Nugent, you stated that even if money was made available for all the children, you wouldn't be able to handle them at this point. What are the main problems in handling the program and providing funds?

Mr. **Nugent**. We have 125,000 youngsters. We figure we can handle 81,000—given adequate time. The elements of this are: First of all you have to have the food distributed through program activities—the city and paying agencies, United Community, Community Fund agencies, city agencies, and so on are able to handle a certain percentage of that. The balance must be made up by organizing volunteers to conduct programs for young people and to therefore, feed the young people. The best we are able to organize now, given a full-out effort, would be about 81,000.

In subsequent years we might be able to expand to the full 125,000.

Senator **Cranston**. Have you used VISTA, Urban Corps, or NYC workers?

Mr. **Nugent**. We have not used them. I have not looked into that particular resource.

Senator **Cranston**. Would it be possible?

Mr. **Nugent**. It is a possibility we will look into.

Senator **Cranston**. They are planning to expand this so it will be involving more and more people, part of them on volunteer basis and partly paid under testimony as I heard. That may be a way. Possibly have them financed in some way.

Mr. **Nugent**. I would suggest we could use those people as well as Neighborhood Youth Corps children for the operation of the program on a yearly basis—particularly because the VISTA volunteers would not be available for just the 3 months in the summer. We would have to have activities on a yearly basis. But then we start coming into a problem of the 80-20 match: VISTA volunteers' time would not be considered permissible, since it is Federal money for a local-Federal match. We would be happy to use them.

Senator **Cranston**. Do you have the same sort of problem or different problems from what he expressed?

Mr. **Robles**. Basically the same.

Senator **Cranston**. Mr. Nugent, you mentioned one thing in your prepared testimony, the apportionment formula. We have been looking at that and are very concerned about it making no allowance for family sizes. I agree with you that bears close scrutiny and examination.

Mr. **Nugent**. The concern we have, in particular with the apportionment formula, is that for any amount of money that you provide—if you provide $52.5 million, which the cities feel is their need—the way that money is apportioned among the cities will not necessarily reflect what individual cities have said is their need. It will be distributed by factors other than need. We simply feel that some correction must be made in that regard.

Senator CRANSTON. You have all been very, very helpful. I appreciate each of you coming, your patience. I hope you learned something earlier about the problems we all face.

Mr. NUGENT. We are very much concerned and wish to continue with this problem until all the bugs are worked out, Senator.

Senator CRANSTON. Thank you for your cooperation.

Thank each of you very much.

The committee is in recess, subject to call of the Chair.

(Whereupon, at 1:10 p.m., the Select Committee was recessed, to reconvene at the call of the Chair.)

OFFICE OF SENATOR GEORGE McGOVERN

TUESDAY, JUNE 20, 1972.

HEARINGS RESUME ON UNUSED FOOD ASSISTANCE FUNDS

Senator George McGovern (D-SD) today announced the resumption of hearings into the withholding of funds available for the food assistance programs. Senator Edward Kennedy (D-Mass) will act as chairman on Wednesday and Senator Alan Cranston (D-Calif) will chair the hearing on Thursday.

The first [1] of the hearings, conducted on June 7, 1972, revealed that nearly $400 million of the funds appropriated for the Food Stamp Program would be returned to the Treasury this year. Wednesday's hearing will explore the fact that of $184 million available for feeding programs in Day Care, $49 million in regularly appropriated funds and an additional $135 million made available out of Section 32 funds, only approximately $34 million has been spent. Despite this surplus, a "freeze" has been imposed throughout this fiscal year, seriously limiting the ability of local areas to respond to rapidly growing food service needs in Day Care and Head Start.

Wednesday's hearing will include as witnesses: Elizabeth Vernon, Assistant Commissioner; and Liz Robbins, Assistant to the Commissioner, New York City Agency for Child Development. A panel from Massachusetts: Sheila Malloy, Health and Nutrition Coordinator for Springfield; Lois Bright, chairman, Springfield Head Start Policy Council; and Susan Gustafson, director, Newton-Waltham Head Start Program.

The U.S. Department of Agriculture Assistant Secretary Richard Lyng accompanied by James Kocher, Director, Food Stamp Program, and Herbert Rorex, Chief, Child Nutrition Division will respond as witnesses at the final hearing held on Thursday, June 22, 1972.

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[1] See hearing of April 7 this volume and Part 3B hearing of June 7, 1972.

PRE-SCHOOL FEEDING

WEDNESDAY, JUNE 21, 1972

U.S. SENATE,
SELECT COMMITTEE ON
NUTRITION AND HUMAN NEEDS,
Washington, D.C.

The Select Committee met at 10:07 a.m., pursuant to call, in room 1202 of the New Senate Office Building, the Honorable Edward M. Kennedy, presiding.

Present: Senators Kennedy and Javits.

Staff members present: Nancy Amidei, professional staff member; Vernon M. Goetcheus, senior minority professional staff member; and Elizabeth P. Hottell, minority professional staff.

Senator KENNEDY. The committee will come to order.

OPENING STATEMENT BY SENATOR KENNEDY, PRESIDING

Senator KENNEDY. I was pleased to accept the request from the chairman of the Select Committee on Nutrition and Human Needs to open this morning's hearing. During the past 3 years, under the direction and expert leadership of Senator George McGovern, this committee has alerted the American public to the critical demand for Federal food assistance programs.

As a result, the U.S. Department of Agriculture has begun to recognize as constituents, not only those who produce foodstuffs, but those who are hungry.

In 1968, when this committee was formed, less than 4 million needy Americans were enrolled in the Food Stamp Program. Today, the USDA boasts that over 11 million people receive food stamps. That boast, however, is a direct result of concerted efforts by this committee's chairman, who has directed his able staff to diligently attend to the matter of insuring that available Federal resources will serve the needs of our Nation's hungry.

Food stamp enrollment has tripled since 1968 because this committee found it inexcusable that Americans go hungry while food surpluses multiply. One-fifth of the people on the food stamp rolls are there because this committee restored their eligibility.

In reaction to this committee's concern, the USDA retracted proposed regulations that would have eliminated 2 million children from the School Lunch Program.

And so it is, that this morning the Select Committee is convened once again to produce the concern, the interest, and the force required to insure that the USDA—the guardian of the Federal pantry—will use all the resources in its larder to feed the Nation's poor.

When Richard Lyng testified before this committee 2 weeks ago, that the Department of Agriculture plans to return $389 million from the Food Stamp Program, members of this committee were immediately aroused by the possibility that this admission may be just the tip of the iceberg. And, indeed it was.

"Half a Loaf—Food Assistance in Fiscal Year 1972," the Committee Print* published a few days ago by the Select Committee on Nutrition and Human Needs, reveals that the Food Stamp Program is but one of six Federal food assistance projects from which the USDA intends to refund appropriated dollars. The full list includes:

Food program	Fiscal year 1972 amount appropriated by Congress	USDA refunded rather than used to feed the poor	
		Amount	Percentage
Food stamps	$2,300,000,000	$400,000,000	18
Donated foods	333,000,000	36,000,000	10
School lunch	797,000,000	82,000,000	10
School breakfast	31,000,000	8,000,000	25
Supplemental foods and pilot food certificates	36,000,000	23,000,000	66
Special food service program for children	184,000,000	150,000,000	80
Total	3,681,000,000	699,000,000	19

ACTION PREVENTS FOOD DELIVERY TO NEEDY

It would be comforting for the beleagured taxpayer to learn that the Federal bureaucracy can be thrifty and dollar conscious; that there is interest in spending tax dollars prudently. But no reasonable person would support any action by our Government which prevents the delivery of food to needy Americans. Yet, that is precisely the effect of the Department's plan to return nearly $700 million in food assistance funds to the U.S. Treasury.

That is the glaring deficiency with the entire food assistance program. How can the Department justify returning 19 percent of appropriated food money, as not needed, when 43 percent of American's 26 million poor receive no Federal food assistance?

Mrs. Elizabeth Vernon, one of our witnesses this morning, wonders how the Pentagon can produce $52 million in unauthorized funds for the Cambodian Army.

I am alarmed and amazed that there is a need for this committee to probe the reason why the Department fails to commit congressionally appropriated dollars for such a needy demand as feeding hungry people. I must admit, however, that this is a change from the usually disturbing fiscal issues the Congress faces.

We have grown accustomed to overspending on the space program; unforeseen delays on construction of Government buildings, and cost overruns on the development of supersonic aircraft. It is equally dismaying, however, to be faced with the administration's inability or unwillingness to properly cover the cost of Federal food assistance.

Today's witnesses are appearing to relate their experience with Special Food Service Programs for children. Among the programs for which funds will be returned, this program has the dubious distinction of returning the greatest portion of its appropriation to the Treasury.

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*See Appendix 2, p. 616.

Congress appropriated $184 million for children's Special Food Services Program operations in fiscal 1972. Early in April, USDA officials testified that only about $34 million of that amount would be spent. Thus, $150 million or 80 percent of the total appropriation, will go unused—simply because of arbitrary administration decisions. Yet, there are millions of hungry children who need and demand help.

> Since early in the current fiscal year, the USDA has imposed a freeze on the funds available for day care feeding and other eligible programs under this authority * * *
>
> The freeze has persisted despite the growth in day care programs all across the country, despite a promise made to HEW in 1971 that the cost of food service in Head Start programs would be assumed by USDA in its FY 1973 budget, and despite clear Congressional support for the program.
>
> Day Care and Head Start programs are routinely told that the funds for this program are exhausted. They have not been allowed to serve additional children in existing programs, have not been permitted to expand their food service to include breakfasts, have not even been permitted in some cases to receive only the surplus commodities foods available to institutions.
>
> As a result of an arbitrary administrative decision, Head Start programs are regarded as ineligible. In every case the Department has claimed that the funds for this year have been exhausted.

This outcry is expressed and documented in "Half A Loaf." Justifiably it asks the question: "Why can't we care for those who are hungry?"

I believe this report has properly raised probing questions about our Federal food assistance programs—questions that fully deserve an explanation. It is reprehensible that millions go hungry as money is refunded and the cost of food rises.

Hopefully, the result of our meeting here today will be to release those moneys already appropriated and provided to feed hungry people. If we can release that money then our purpose for being here today will be realized.

I am happy to welcome all of the witnesses to this hearing of the Select Committee on Nutrition and Human Needs.

Our first witnesses this morning are from New York City: Elizabeth Vernon, assistant commissioner for the newly formed Agency for Child Development. Miss Vernon has worked in Day Care and child development in New York for many years, and is trained in early childhood education.

She has a master's degree from Columbia University.

Miss Liz Robbins is formerly of the staff of the Committee on Public Welfare. Would you be kind enough to come up? We have a statement from Senator McGovern which we will include in the record and also a statement from Senator Javits.

PREPARED STATEMENT OF SENATOR McGOVERN

I am sorry not to be able to be here this morning. I want to publicly thank Senator Kennedy for agreeing to act as Chairman in my place.

This morning's witnesses are here to offer testimony to the need for an expanded use of the funds available for the Special Food Service Program for Children, Section 13 of the Nation School Lunch Act. Established by law in 1968, that program has grown rapidly in response to growth in day care and summer recreation programs.

One of our witnesses this morning is the author of that program, Congressman Charles Vanik of Ohio. His office has worked in close cooperation with my staff of the Select Committee on Nutrition and Human Needs, as evidence of the growing needs for these funds has come in from around the country. I am particularly pleased that he is able to appear before the committee.

Our witnesses from New York illustrate a dilemma that is becoming increasingly common in our metropolitan areas. As the demand for day care—day care in many forms—has grown in recent years, the agencies responsible for the quality and quantity of the service provided have recognized the need to develop sound nutrition components as an integral part of their child care programs. New York City is trying to meet that need despite a USDA requirement that they use only the same amount of money from one year to the next to feed an ever-increasing number of children. For the children that they must add to their programs, and for the additional meals that they feel responsible to provide even for those already enrolled, the Special Food Service Program for Children is the logical source of funds. But that source, as administered by the USDA, remains frozen at April of 1971.

Our witnesses from Massachusetts illustrate another problem occuring in this program. In November of 1969 three men, employees of the Departments of Agriculture and HEW, decided that these Section 13 funds would be available only to Head Start programs already being funded. Head Start programs which applied for food assistance after that date would be considered ineligible.

In 1969, the Head Start budget did provide funds for food service. That administrative decision, applied as law since 1969, has long outlived its original rationale. Yet the old rule applies, despite the fact that it was never intended by the Congress. Head Start witnesses from Massachusetts are among the victims of that arbitrary ruling.

In addition the $50 million required to fully fund the Summer (nonschool) Lunch Program, the $30 million required to absorb the cost of food service in all the Head Start programs, and the $30–$40 million needed to adequately finance food service in day care, the Special Food Service Program for Children could serve two additional needs. First, it should provide the approximately $7 million needed for the Summer Lunch Program for the migrant children whose "summers" do not neatly coincide with those of children not engaged in agriculture. And second, Section 13 should be used to absorb the food service costs of preschool children now paid for out of Title I of the Elementary and Secondary Education Act—an act intended by Congress to provide educational services to disadvantaged children. The staff of the Select Committee estimates that existing needs in Section 13 range between $125 to $160 million for fiscal year 1973.

With the $49 million requested by the USDA in fiscal year 1973—a sum that would allow for no expansion—the extra $25 million requested by the President to fully fund the Summer Lunch Program, and the $135 million made available by Congress in Public Law 92–32, the Special Food Service Program for Children could more than adequately meet the demands that will be made of it during the coming fiscal year. It remains only for the USDA to agree to spend the money that the Congress has said is available.

Prepared Statement of Senator Jacob K. Javits

Mr. Chairman, members of the committee, it is indeed a pleasure to be back with the Select Committee on Nutrition and Human Needs. As you know, I previously worked hard and satisfactorily with this committee in an effort to improve the condition of hungry people in the United States.

I am here today to introduce Elizabeth A. Vernon, Assistant Commissioner of the New York City Agency for Child Development, and Liz Robbins, Director of Federal Relations for ACD, who will be testifying before the committee. It is a particular pleasure to introduce representatives of the Agency for Child Development, as I was involved as a catalyst in the establishment of this agency, and my office has been intimately involved in the on-going operation of the agency which is presently the largest publicly funded Day Care agency in the country. I certainly have a continuing interest in seeing that the programs which ACD administers are properly funded.

ACD presently serves 34,000 children and next year will serve an additional 12,000. The President's FY 73 budget request for pre-school children enrolled in non-school institutions will not enable ACD to serve meals to any of the additional 12,000 children.

Thus, the problem which brings ACD to Washington today is a matter of great concern to me, as it should be to the committee—that concern is how to feed the increasing numbers of eligible children throughout the United States for non-school child care programs if no additional money will be made available to pay for their meals.

More specifically, the President's budget request for Section 13, nonschool child care programs is $49 million—exactly the same for FY 72 and for FY 73.

In addition, PL 92–32 directs USDA to spend $135 million of funds already available (as a result of the import tax duties collected pursuant to Section 32 of the Agriculture Act of 1935) in Special Food Service Programs in FY 72 and FY 73. Although there is thus $184 million available to provide breakfast and lunch to our pre-school children enrolled in nonschool institutions, USDA has spent only $34 million. It is my understanding that USDA has advised the New York State Bureau of School Management that no applications above the funding level of 1972 would be approved for FY 73. The need to make more funds available is clear.

I am pleased to have the representatives of the New York City Agency for Child Development present to you their testimony explaining this problem in detail and commend their position to the committee's earnest attention.

Senator **Kennedy**. You may proceed. Miss Vernon, would you care to proceed in your own way?

STATEMENTS OF MISS ELIZABETH VERNON, ASSISTANT COMMISSIONER, AND MISS LIZ ROBBINS, ASSISTANT TO THE COMMISSIONER, NEW YORK CITY AGENCY FOR CHILD DEVELOPMENT

Miss **Vernon**. Thank you, Mr. Chairman. My name is Elizabeth Vernon. I am assistant commissioner of New York City's Agency for Child Development. The commissioner, Georgia McMurray would be here today but she is in the hospital undergoing surgery scheduled months ago.

New York City's Agency for Child Development, established July 1, 1971, is the first and only municipal agency in the Nation devoted exclusively to the needs of preschool children.

The agency has primary responsibility for and jurisdiction over, New York City's Group Day Care, Family Day Care, and Head Start programs.

Its budget for fiscal year 1972–73 is $132.6 million in program money. Of that, $115.8 million is for Group and Family Day Care which is 75-percent reimbursable from Federal funds authorized by Title IV–A of the Social Security Act; $13.2 million for Head Start which is 100-percent reimbursible from Federal funds authorized by the OEO Act; $3.1 million in Federal funds for Day Care programs in Model Cities areas; and, to date, approximately $0.5 million in Federal funds authorized for Special Food Service Program by Section 13 of the National School Lunch Act.

The latter reimbursement is necessary to cover both the cost of breakfast food and the daily milk intake of each participating child since simultaneous participation in both the Free Milk and Special Food Service Program is prohibited.

The agency's primary objective—indeed its very reason for being—is to expand quality care services to as many children as possible. We are proud to report we are already on the way to meeting this objective.

The Agency for Child Development presently serves approximately 34,000 children: 19,000 are enrolled in 277 Group Day Care centers; 15,000 of these are in preschool programs, 3,880 in after-school programs, and 84 in infant care. In addition, 6,200 children are enrolled in 1,860 licensed Family Day Care homes.

In July 1970, a year prior to the agency's establishment, there were only 12,500 children, roughly one-third the present enrollment in these two programs. 8,000 children were in 120 Group Day Care centers and 4,500 children were in 1,240 licensed Family Day Care homes that we provide.

The enrollment in our Head Start program, approximately 6,000 children, has not increased since the agency was established.

The reason is obvious, because there has never been any increase in the Federal budget for Head Start.

Nevertheless, as long as Title IV of the Social Security Act remains open ended, we must continue to expand our Day Care programs. Current estimates of the number of New York City children under 5 who are either in the public assistance population or who have working mothers, suggest that there are at least 322,000 New York City children who are potential users of early child care services.

Already, over 400 new Day Care centers, designed to serve a total of approximately 48,000 children, are in various stages of planning or construction.

QUALITY OF PROGRAMS IS ISSUE

But enough statistics. The issue here today is not so much the quantity of child care programs but the quality.

Every child enrolled in our Group Day Care programs, today, receives full range of health, nutrition, and other supportive services.

Any child enrolled in our programs tomorrow will not. A telegram sent this March to the New York State Bureau of School Management by the USDA Regional Food and Nutritional Service stated that no new applications—over and above fiscal year 1972 funding level—for Special Food Service Programs would be approved for fiscal year 1973.

In view of this and the administration's fiscal year 1973 Special Food Service Program budget request for $49 million—the same amount as last year—"one thing is perfectly clear." This coming year, more than 15,000 of New York City's preschool children will have to go without breakfast.

Of these 15,000 children, 4,500 are enrolled in our Head Start program. Due to difficulties—and this, to me, is an incredible situation to have existed—USDA encountered in reading its own regulations, Head Start had, until recently, been refused the Special Food Service Program funds it needed to establish breakfast programs.

Though USDA Special Food Service Program regulations—published way back in 1969—rule, as you know, all Head Start breakfast programs established after November 1, 1969, eligible for program funds, the USDA North East Regional Office ruled them ineligible.

Though obviously we disagreed, it was not until this March 1972, that we were able to get the regional office to check with Washington to set the record straight. It is an incredible story. What this says about "New Federalism" I think, is obvious.

Now our Head Start programs are only prohibited from establishing breakfast programs because there is no money.

The remaining 11,500 who will have to go hungry this year, represent all those children slated for enrollment in the new Group Day Care programs opening as of July 1. Family Day Care is not eligible according to current USDA regulations.

We will get back to the thinking behind that in a moment.

In order to buy at the present rate of reimbursement, both the food and equipment needed to feed these 15,000-plus children coming into our program, we would need approximately $3 million over and above what USDA has allocated New York for fiscal year 1973. And, according to the New York State Department of Education, USDA has no plans to increase our allocation.

As you know, of course, we are not the only State in this predicament. Just to take one example—and I am sure you will be given many more today—our sister State, New Jersey, informs us that already it has had to deny approximately $320,000 worth of Special Food Service Program applications.

This amount represents nearly 7,000 children who, if New Jersey's allocation is not increased, will be coming into that State's nonschool child care programs next year without any indication that they will be fed while there.

How do you tell a 3-year-old child, who leaves his home hungry, that the President has decided that he was born too late to have breakfast?

Naturally, I don't mean to suggest that all children ought to have nutritious breakfast merely because some already do. All our children must have a nutritious breakfast because without it they risk abnormal physical and mental growth.

A great deal of the data presently available to support this contention has already been introduced into the record of this committee. There is no need to reexamine most of it again.

RELATIONSHIP BETWEEN BREAKFAST AND CHILD DEVELOPMENT

There is a need, however, to reemphasize the critical relationship between nutritional breakfasts and the optimum development of the preschool child. As a good breakfast is the pivotal step in a child's daily development, early childhood education is the pivotal step in a child's overall development. Both are steps so crucial that others may be futile without them.

Just as nutrients missed at breakfast can rarely be made up during the day, damage resulting from inadequate nutrition during the first 5 years of life can rarely be erased.

To quote the White House Conference on Children, if inadequate diet or "malnutrition persists during the first 5 years of life, the child is doomed to foreshortened physical and mental development, increased susceptibility to infection, and impaired response to his development."

In New York, staggering statistics recording nutritional deficiencies in children 6-and-under are already on the books at the city health department. According to a 1970 study of the diets of New York City low-income children 6-and-under, 45 percent of those tested suffered from vitamin A deficiencies, over 55 percent suffered from hemoglobin deficiencies, almost 60 percent suffered from thiamine deficiencies, and over 65 percent suffered from riboflavin deficiencies.

In view of these facts, Mr. Chairman, I was shocked and dismayed to learn that the administration's recent legislative proposal to add $44 million to the child nutrition program budget, failed to mention, let alone request, any additional funds for food programs for preschool children enrolled in our Head Start and Day Care programs.

What rationale could there possibly be for such a cruel menu for 3-, 4-, and 5-year-olds, the most helpless of our citizenry?

Certainly the administration does not lack authorization to spend the kind of money needed.

Public Law 92-32 * directs USDA to spend $135 million of the funds already available as a result of import tax duties collected pursuant to Section 32 of the Agriculture Act of 1935 on the Special Food Services Program in fiscal years 1972 and 1973. This, over and above the $49 million the administration requested for the program for fiscal year 1972.

Of the total $184 million thus available to provide breakfast and lunch to our preschool children enrolled in nonschool institutions, the administration claims, as you know, to have spent only $34 million.

Of this amount, a mere $14 million was spent on year-around programs. This, despite the fact that all reports—including that of the Conference of Mayors—suggest that funds available in the Section 32 account, in fact exceed even the $184 million authorized.

As one of those who have come to appreciate the extent to which the congressional power of the purse has come under the sole control of the executive branch, I am tempted to suggest that even millions more than already authorized could be released to feed these young children in New York for whom next year, lunch will be their first meal of the day.

Specifically, if the Pentagon can—as it did in fiscal year 1971—spend $3 billion more than that authorized by Congress, why can't USDA? If the Joint Chiefs of Staff can—as they did in a memo to Secretary Laird, published in the New York Times August 30, 1971—find a way to generate $52 million in authorized funds for the support of the Cambodian Army, surely the budgetary Houdinis at Office of Management and Budget can find a way to generate a few breakfasts out of the $12 billion in authorized funds they confess to have impounded since the beginning of the current administration.

Mr. Chairman, the problem, as I am sure you are well aware, is not money. It is commitment.

If it so desired, the administration could cease the mindless shell game of budget balancing and get down to the serious business of balancing children's diets.

STATE PLANS SHOW ESTIMATED PARTICIPATION

USDA knows how many children in each and every State will be needing the Special Food Service Program each and every year. Their very own regulations—Title VII, part 210.4A(3)—require that each

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*See Appendix 1, pp. 587.

State must, in order to receive any of the child nutrition funds, submit a State plan that includes, among other things, an estimate of the number of service institutions needing a Special Food Service Program . . . and "an estimate of potential participation."

Thus, clearly, the issue here is not—as it often is regarding program funding—a question of Congress having given the Executive either insufficient direction or inadequate authority to carry out its legislative mandate. Congress has done more than enough to assure that USDA knows what has to be done and has the money to do it.

Senator Kennedy. The point is that there is already a legislative authority. It is really how it is being administered, certainly. That is your point here?

Miss Vernon. Yes.

Senator Kennedy. Is it your understanding that all the States have filed claims that would indicate the number of hungry children in their States? Do you know that from your own personal knowledge?

Miss Vernon. I can't speak for all the States, but this is required by USDA, that they present a plan for potential users, as well as current ones.

Senator Kennedy. They have that information from New York?

Miss Vernon. Yes.

Senator Kennedy. How specific is that? Do you think—having knowledge of the plan that was initially submitted and having the benefit of hindsight—it was pretty accurate, as far as you can tell?

Miss Robbins. Our recent application went in last week.

Senator Kennedy. No, what I am talking about is the number of needy children. You had to make an estimate, according to the regulation, of the number of hungry children. When did you make that?

Miss Robbins. It is required by January 1.

Senator Kennedy. Didn't you submit it a couple of years ago?

Miss Robbins. We submit it every January to get our funds.

Senator Kennedy. How accurate is that? Is it a few thousand off?

Miss Robbins. It is fairly accurate. We have been expanding at a faster rate than we initially thought we could.

Senator Kennedy. So it is understated.

Miss Robbins. It is understated, but an expansion is still talked about, a fairly good sized expansion rate.

Senator Kennedy. What did you estimate as the number of needy children?

Why don't you give me your estimate for the last couple of years so I get an idea that there has been planning, thinking about needy children. You have been turning in estimations, and you have been giving this thought over a period of time. The case that the USDA makes, that you have not, is not correct.

Miss Robbins. I am sorry. I am not acquainted with the past 2 years.

Senator Kennedy. All right.

Four Areas for Action

Miss Vernon. In the following areas, however, Congress could take action to insure that if and when the administration puts up the money to carry out its pledge to feed the hungry, we at the local level could make the best of it.

1. APPORTIONMENT OF FUNDS

1. The formula should be amended so as to reflect projected program participation as reported in the State plan. Presently, funds are, as you know, apportioned according to the State's past level of program participation. This practice is hardly conducive to the program expansion: that is, to providing food for all our hungry young children.

2. Moreover, the income and census figures on which the formula is based should also be brought up to date. Presently, as you know, apportionment is based on 1960 Census figures and ancient poverty level indexes.

2. REIMBURSEMENT RATE

The present rate of 15 cents covers neither the labor costs nor the Phase II food price involved in serving our young children nutritious and balanced meals. The rate must be raised to 30 cents, or we will be priced right out of business no matter how much USDA adds to our fiscal year 1973 budget.

3. STANDARDS

Perhaps if USDA had already developed standards that would insure children nutritious and balanced diets, it would have already realized that their present reimbursement rate is totally inadequate.

4. FAMILY DAY CARE

Here I want to get back to the service I mentioned earlier.

In New York, the only difference between Family and Group Day Care is that in the latter, the kids are served in a center. Through Family Day Care, children are served in a home; however, for every 200 children, there is a Family Day Care center which provides consultant and other services.

These are children cared for in licensed homes where up to six children may be in the care of a mother.

A change in the regulations that would permit these centers to serve breakfast would assure 6,000 more New York City children of three meals a day. The demonstration grant that currently feeds 661 Family Day Care children is due to run out in September.

We have had a grant from OEO to demonstrate that a breakfast program would work with Family Day Care. What is the use of spending time and Government money on a demonstration grant that develops a system to, and tests the feasibility of, delivering a public service—in this case, breakfast to Family Day Care children—if when the demonstration grant runs out, there is no money to implement the system across the board?

Mr. Chairman, your greatest contribution to our efforts, however, would come tomorrow if you were to succeed in changing the administration's mind about the existence of hungry children and in starting it thinking along the lines of what to do about feeding them. After all, isn't a democracy in the greatest danger when those in power enjoy the comfort of opinion without the discomfort of thought? Thank you.

Senator Kennedy. Thank you very much. Miss Robbins, would you like to make any comment?

Miss Robbins. I was here to help answer questions.

A Question of Administration Desire and Willingness

Senator Kennedy. It is very helpful, a very helpful statement and commentary. You have covered a wide variety of different needs. The irrationality for the development of the regulations, the administrative bureaucracy, the belief from your vantage point that other legislative requirements are unnecessary to do the job, and to come down to the final conclusion that it is really a question of the desire and willingness of the administration to press these programs, that certainly is a conclusion I share.

I am wondering, given your experience, have you ever gone down to the regional office of the USDA to ask them for technical kinds of assistance and help, and how you can further take advantage of the programs that have surplus money? Could they help you find ways in which you could take advantage of it? Just throw the ball in their court. Have they ever met with your group? As I understand, from the statewide program that you have submitted that you have tens of thousands of hungry and needy children. Therefore, say your program may be a little deficient in some way, but that you really want to get the money out to those needy children. Have they ever reached out to you and asked to help to assist you in trying to find ways to use the Federal money which has been appropriated?

Miss Vernon. This is an embarrassing question, because we have to come out with an embarrassing answer, I am afraid. We really have had no technical assistance from them; and, as a matter of fact, it is only through doing their homework that we were able to prove that the money was available to be used for Head Start, although they had informed us otherwise.

Miss Robbins. It took us 3 years, without technical assistance, to get the Head Start money that we were eligible for. We wonder what would happen if we had received technical assistance. The State administration has been helpful; but when we tried to find the figures on malnutrition in New York and nearby States we contacted the USDA, however they had spent no money on that.

They had put together their own figures. They have not added one State plan to another to get a regional view. But Albany informed us of reserve money that is provided by the law, and has assured us that we will be able to do these kinds of studies and other kinds of manpower training programs we need available pursuant to the legislation. None of which, even though we told them of our problem, has the USDA suggested.

We found them ourselves.

Senator Kennedy. Miss Robbins, you have worked on a subcommittee and the full Labor Committee and are aware of the legislative development of this program. Where does the fault lie?

Quite clearly the intention of the Congress and the development of these various food programs—a number of programs targeted to meet very special needs for people—appropriations being made by the Congress based upon authorization and upon the needs, and then it is not coming out of the other end of the funnel. Now where are the blockages? Was it the development of the regulations which provided such a mass of confusiion for people to try and answer, or is it inadequate administration at the local level?

I will ask Miss Vernon the same question, what is your impression?

Miss ROBBINS. I would say it is the responsibility of the Government at all levels for leadership in administering the program. The first job in administering any program is to inform those people who are eligible of the services available; and, how to get them, and help them get them in a way that is good and sufficient and most effective.

So that is where the greatest failure has been. It is the same failure you see in the Safe Streets Act. People don't know what is available, when they know what is available, they have difficulty in getting the money and services.

"LEADERSHIP A COMPLETE FAILURE"

I would say that the leadership is a complete failure on the Federal level. You know, we have done our best and we are lucky to have people who were on a legislative committee. I think that is why the Commissioner hired me, because she had so much difficulty in understanding the the law and what was available to the city. Other States not able to find that kind of personnel are just realizing this is necessary.

Senator KENNEDY. Would you like to say anything, Miss Vernon?

Miss VERNON. I have nothing to add. I believe it reflects the attitude of the administration. As you said in your opening statement, the administration is seeking to exert undue prudence on the expenditure of funds that have already been allocated.

Senator KENNEDY. When you talk to the administrators about the requirements you must file—or, if they were not filed by the fall of 1969 unless they changed their name they won't be eligible—that the regulations of the administration are outdated and serve as a roadblock to receiving funds, what kind of response do you get from them?

Miss VERNON. It was a stone wall. We simply were not able to get past this. It was actually a misinterpretation of the regulations. We interpreted them one way, they interpreted them the other; and, only until we went beyond that level were we able to get the interpretation that we thought was the correct one.

Senator KENNEDY. Then this gets back to your earlier view that these roadblocks were being established. Did you believe they were doing it on purpose or through incompetency, or what?

Miss VERNON. I would have to judge incompetency.

Senator KENNEDY. Could you tell us, have you received any technical assistance from the Child Nutrition Division of the Department of Agriculture in coordinating your food services, training staff and finding ways to fund your program?

Miss VERNON. No, no technical assistance.

Senator KENNEDY. I yield to Senator Javits.

Senator JAVITS. Mr. Chairman, thank you very much. I think the witnesses whom I proposed to introduce this morning are here. I am very proud of Miss Vernon and Miss Robbins and the work that they have been doing.

They arrived before I could get here, but the Chair was kind enough to put my statement* in the record.

Mr. Chairman, I am engaged at the moment in the Foreign Relations Committee work with respect to ratifying the SALT agreements, so I would beg to be excused. I did wish to personally introduce both these ladies to the committee, and to commend their testimony. Also to express my great pride in the work that the New York City Agency for Child Development is doing. I have the feeling that the bill, passed yesterday, on this subject could be of enormous aid if we could bring it into law. The chairman and I, and others on the Senate Labor and Public Welfare Committee, will certainly try to do that.

Thank you.

Miss VERNON. Mr. Chairman, I would like to thank Senator Javits from all the children of the Nation, and especially from the children in New York City and the Agency for Child Development, in making himself so responsive to us and so helpful to us at all times.

Senator JAVITS. Thank you very much.

Just carry on, Mr. Chairman.

Senator KENNEDY. While Senator Javits is here: Are there thousands of New York children that should be receiving help, that fall under the eligibility of the statute, that are not getting it just because of bureaucracy?

Miss VERNON. Are you speaking of services generally, or just Day Care services?

Senator KENNEDY. I was thinking primarily of nutrition; you could start with that first and then move on to the others.

15,000 Children Not Allowed To Be Added

Miss VERNON. At this point, we anticipate not being able to feed breakfast and other supplemental foods to 15,000 children in fiscal 1973; because, at this point, we have not been allowed to add to our request beyond the 1972 level.

Senator KENNEDY. That is in spite of the fact that the USDA has the money; in spite of the fact that you would be eligible for that program under the requirements?

Miss VERNON. Right.

Senator KENNEDY. There will be 15,000 children who will not be able to receive the kind of food assistance that they are otherwise eligible.

Miss VERNON. Right.

Senator KENNEDY. And, for which there has been money appropriated by the Congress, and that is really because of administrative blockage somewhere along the line, as I understand.

Senator JAVITS. If that is compared to the figure that you will be serving——

Senator KENNEDY. How many are you going to be serving?

Miss VERNON. We will be serving almost 50,000 children next year, and of that we would not be able to feed more than the number that we have fed in the past year from these funds.

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* See p. 472.

Senator KENNEDY. The number of children that you would be equipped to feed has expanded, has it?

Miss VERNON. Yes. We would have all of the necessary organizational capacity to do the job.

Senator KENNEDY. You know where those children are, you have been able to identify them, and you know who those needy children are?

Miss VERNON. We could identify many times over the number we will be serving, so there is no problem of identification.

Miss ROBBINS. If they gave us the money to serve the 15,000, and adding those to the number we are serving now, we would still be left with 6,000 children in Family Day Care who won't get breakfast, unless the regulations are changed.

Senator KENNEDY. If I understand you correctly, you know there are children which you can easily identify which fall within the eligibility of this legislation. But they will not get help and assistance—even though there is money for it—because of some administrative blockage.

Miss VERNON. Yes.

Senator KENNEDY. Also, you are unable to expand your program because of the regulations that have been established; am I correct on that?

Miss VERNON. Yes.

Senator KENNEDY. And, that is for what reason? Because you had to file so many years ago, 2 years ago?

Miss VERNON. Because in our fiscal 1973 request we have been informed that we may not expand beyond the number of centers we have been serving in fiscal 1972.

Senator KENNEDY. Why not?

Miss VERNON. This is a regulation of USDA.

Miss ROBBINS. It was a telegram they sent us saying they would not accept anything other than renewal applications. New York State expects to get the same number of dollars in 1973 as they got in 1972.

Senator KENNEDY. What is the reason or logic for that?

Miss VERNON. It defies logic.

Senator KENNEDY. You requested this money, is that correct?

Miss VERNON. Yes.

Senator KENNEDY. And you have been turned down?

Miss VERNON. We have been told to remain at the same level.

Senator KENNEDY. I know it seems very obvious to you, but we have to try and hammer these points.

For what reason were you turned down? Did they say there was no more money; you were late; or not complying with regulations; or, for what reason?

REQUEST REJECTED FOR LACK OF MONEY

Miss ROBBINS. Money.

Senator JAVITS. Do you have it in writing?

Miss ROBBINS. Albany sent us a telegram and read it to us over the phone. Mr. Reid, of Albany, had put it in the mail. It did not arrive.

Senator JAVITS. I believe the idea that the Department of Agriculture has turned a considerable amount of money back to the Treasury is wrong. I intend to fight it, and I am sure that other members of our committee will feel exactly the same way.

That is why I think this testimony is so timely and so necessary.

Senator KENNEDY. As I understand, there is a letter to Congressman Vanik, and he is going to testify, and I imagine he will make it part of the record. In the letter—that they will get funds to maintain their year around 1972 program at the spring of 1971 rate—it indicates the freeze.

That is from the USDA. I imagine you received one.

Miss ROBBINS. We brought one from Secretary Lyng saying New York would not receive any more money than they got last year. That letter is here today.

Senator KENNEDY. What is the impact of the regulations propounded by the Department of Agriculture on hungry children? What does it mean to them?

Miss VERNON. This means the level of nutrition, that we can offer to the children, is cut. I don't need to tell you that the children we serve are from very low-income families. These are families who need a great deal of assistance in serving well-balanced nutritious food to their children.

Many of the children, in fact the majority of them, leave home in the morning in the rush of the mother getting them ready to go to the Day Care center and herself off to a job—usually a very low paying job.

They simply don't get breakfast. So they come in, listless and hungry, and are really not able: First, to make the best use of the program in the morning; and second, we know that they are actually suffering from some degree of malnutrition.

This is the effect of that kind of cut.

Miss ROBBINS. The other point is that it is more pronounced in the Head Start program. As you know, the budget level has been the same for a number of years, and they have no other source of funds.

Group Day Care has Title IV at the present, but Group Day Care has no additional funds to pay for the increases in salaries over the past 2 years or the rising costs of equipment. If we don't get this money, Head Start is really at the end of its rope.

Senator KENNEDY. What happens, Miss Vernon, when a child does not get the kind of nutritional needs they need? Does this reflect itself in a wide variety of different ways—mental retardation, and a host of other deficiencies?

SYMPTOMS OF NUTRITIONAL DEFICIENCY

Miss VERNON. Yes. People who work closely with children would be most aware of the fact that they would be much more subject to the kinds of contagious diseases and minor illnesses that children often have—such things as colds and earaches and problems of that sort.

We find, also, that children are much more subject to certain kinds of irritability and tiredness which comes as a result of not having adequate food.

Also we are very much concerned about the lifelong food habits that get started in the earliest years. This is really the time in which habit building is developed. If children are satisfied with these things like some potato chips and a soft drink—thing of that sort—which are foods frequently given to them in the mornings—the kind of things we tend to call junk foods—this becomes the habit they have the appetite for in later life. We know the eating habits built up in the earliest years are perpetuated.

We certainly have a lot of statistics about such things as mental retardation. Perhaps it is not extreme. It may not be the kind of thing that one would identify as a marked kind of retardation, but we know children cannot live up to their potential.

The brain does grow something like 80 percent during the first 5 years of life. Those nerve cells need good nutrition in order to properly develop. I think many ailments of the poor, we see as they grow older, can be traced back to poor nutrition in early life.

Senator **Kennedy**. Do your Day Care programs use donated commodities?

Miss **Vernon**. Well, do you want to comment on that, Miss Robbins?

Miss **Robbins**. We just did a study in our Head Start program to try and decide the extent to which they could use food programs. In order to participate in the Food Commodities Program, you have to have a certain amount of space for storage, and you have to be able to pick up and transport commodities back to your program.

In the study of our Head Start program, just as a place to start, we found we were Group 3 in the commodity program—which provides you such terrific breakfast foods as peanut butter. Also, over 50 percent of the Head Start centers did not have the required storage space; and, almost 100 percent did not have any way to pick up and transport commodities back to their program.

So it is kind of a "catch-22" situation. We say, "Here, take them free food and serve yourself for breakfast." However, you cannot get the food unless you have the money to buy a truck to transport it, unless you have the money necessary to provide the storage space, required in the law, before you are eligible for the Food Commodities Program.

So it comes down to the same thing. It comes down to money. It would probably cost them less and would be more beneficial to us—given the kind of food we are eligible for in the commodities program—to have the money to serve breakfast, rather than buy a truck and build storage space only to get peanut butter in the end.

Senator **Kennedy**. What will you do if Congress acts to limit the funds available under Title IV–A of the Social Security Act?

Miss **Vernon**. First we would cry a lot, I guess. We would simply be under fantastic pressure to maintain the number of children that we are planning to serve, and perhaps have to cut quality. The demand for Day Care is built up to such a patch now, that if funds were to be limited and we would not be able to expand, I think we would be trapped in a very, very unhealthy situation. I really want to say that it is not just a question of what we would do, but what would the children do? What will the families, who really need this program so badly, do? They are really the ones that would be penalized by such an act.

I can only hope and pray that such a thing will never happen.

Senator **Kennedy**. Thank you very much. You have given very, very helpful testimony.

Miss **Vernon**. Thank you.

Senator Kennedy. The next witnesses are from Springfield, Mass., Sheila Malloy and Lois Bright. Is Mrs. Gustafson here? I believe you have a statement. You may proceed with it. Do you have an extra copy?

STATEMENT OF MRS. SHEILA MALLOY, HEALTH AND NUTRITION COORDINATOR FOR SPRINGFIELD, MASS.

Mrs. Malloy. I am Sheila Malloy, Health and Nutrition Coordinator for the Head Start Day Care programs in Springfield, Mass. I am engaged in a time-consuming and frustrating struggle to provide food service for my program. The children under my responsibility fall into three categories: Roughly 125 are from Head Start; 250, welfare, and 75 are children who are supported by the Department of Labor.

Because of this administrative admixture we are not eligible for Section 13 funds, which include Head Start. The Welfare Department pays part of the costs of some of the children.

The Labor Department assumes food costs are provided from other sources and so do not provide them.

Senator Kennedy. Why weren't you eligible for the Section 13 funds? Why did they tell you that?

Mrs. Malloy. In September of 1971, when I called the School Lunch Program in Boston, I was told by Mr. Cella that we did not apply before the November 1969 cutoff date, and so we were not eligible for Section 13 reimbursement. Further, in the course of conversations, he questioned me as to who sponsors our Head Start, do we, in fact, come under the CAP agency or the school department.

When I responded with CAP agency, he said, "I thought you said you were getting school lunches for some of your children", which in fact we had been prior to that.

He said we were not eligible for those, because they were only supposed to go to the school department agencies. So at this point, I froze, because I didn't know what else to do, and he said, "I will send you applications, but you are not going to get any reimbursement because you are not eligible."

Must Change to Title I

On that very day, I got a call from the school department telling us that, in fact, we had to somehow change; that they, the school department, were going to be held responsible for paying. That the School Lunch Program would no longer continue to cover reimbursements; and, that we would have to switch to Title I.

This brought up the whole possibility of testing for educationally deprived children.

Senator Kennedy. What are those tests, could you tell us about that?

Mrs. Malloy. I wish I could. I can't tell you about them, because we have never tested all our children. We did not do that testing, because we did not have tests that we felt were adequate to the task of evaluating black children.

Senator Kennedy. But they were going to require that they take tests, is that right?

Mrs. Malloy. That is what they were talking about.

Senator Kennedy. Why do you think they consider that?

Mrs. Malloy. My understanding of it is that for Title I you have to prove that the recipients are educationally deprived. And, as a parent of mine said at that point, "It is not bad enough that we are black and poor, now we have to be black, poor, and stupid to eat." She was really upset.

The testing for the black children is not terribly adequate anyway.

Senator Kennedy. So then what happened?

When you said to the person at the other end of the phone "What has the cutoff time in 1969 got to do with our needs in 1970, or 1971?" What did he say at the other end of the phone?

Mrs. Malloy. There wasn't any money for new programs. That was essentially what he said.

Senator Kennedy. We now see that they are going to return all this money. What sense does that make to you?

Mrs. Malloy. I would ask whoever is returning it what sense that makes. I am not returning it, I am very upset about it. I have been told for a year now there are no funds, and now I find there are funds being returned.

Senator Kennedy. Well, the Congress appropriated funds; authorized them and appropriated funds. They thought they would be expended to help. I voted for it, and supported it to help the children up in Springfield and all the other Springfields in Massachusetts. Then they tell you that there is no money there; yet they are returning unspent moneys.

What does that mean to you?

Mrs. Malloy. It means our children are not, in fact, being fed. We are robbing Peter to pay Paul all the way along the line.

Senator Kennedy. Do you think, if there is any money left in the Defense Department that they would return it?

Mrs. Malloy. You are asking me?

[Laughter.]

Mrs. Malloy. I am not sure what the administration's priorities are, but I question them now.

Senator Kennedy. Would you proceed?

Mrs. Malloy. The results of all the asumptions by agencies and departments that someone else is doing the work is that children are fed only because of two circumstances: I mentioned that we are told by the local school department that we are using the Title I education funds which are badly needed and intended for other purposes.

We rob Peter to pay Paul, switch funds that should be used within each of the budgets for that purpose only.

Despite these facts, and despite the fact that my job should involve in-service training, development of sound programs and attention to the health component of our services, a tremendous amount of my time is now taken up in going from office to office to get funds. I know now the funds are there, before I just suspected they were. I am told they are intended for the very children under my care; and yet, somehow, I am not getting them.

I have, as I say, the sequential records from September of 1971.

Senator Kennedy. You will submit those? They will be very interesting for us.

Mrs. Malloy. I will be glad to.

I also have a letter. A group of us went down to Mr. Stalker's office on Monday and spoke with him; he was very willing to take the application, but assured us that there were no funds available. I have a letter here, from his office written by his project director that states——

Senator **Kennedy**. I understand he was assured, or the State director up there was assured, there were not any funds available.

Mrs. **Malloy**. That is what I am told. He said they were, "accepting applications and agreement forms to participate, but we cannot approve them until this program is properly funded . . . If you wish to write to your congressional representative asking his support. . . .

Senator **Kennedy**. You will submit those*, anyway?

Mrs. **Malloy**. Yes.

Senator **Kennedy**. That will be very helpful.

Mrs. Bright.

STATEMENT OF MRS. LOIS BRIGHT, CHAIRMAN, SPRINGFIELD, MASS., HEAD START POLICY COMMITTEE

Mrs. **Bright**. I am Lois Bright, head of a parents' organization developed to participate in the design and administration of Head Start.

I have just recently completed training at the University of Massachusetts as a nutrition aide. Because I am a Head Start mother, I have a special interest in the food that is provided in the program. My child participates in the program—what is supposed to be a program. It is supposed to be a comprehensive child care program.

I have particularly strong feelings about the importance of nutrition, nutrition in the lives of very young children. You are what you eat. Your eating habits start at a young age, and this is my concern as a parent.

Senator **Kennedy**. How many children do you have?

Mrs. **Bright**. How many children? How many do I have in my group?

Senator **Kennedy**. How many do you have in the program? Do you have any that are benefiting from the program?

Mrs. **Bright**. Yes.

Senator **Kennedy**. How many?

Mrs. **Bright**. I have one.

Senator **Kennedy**. One child. Could you tell us a little bit about the program, as a parent, what the child tells you about it? Is he happy with it?

Mrs. **Bright**. She is not aware of certain things. She is not given certain types of food or not introduced to new types of food, and the setting is different. That is according to what I have learned in the last year or so in nutrition, I try to bring this into my home with my children, and what she is bringing back from school is different.

Senator **Kennedy**. What is the reaction of some of the other parents with the program? Are they pleased with the program, are they disappointed that it is curtailed, would they like to expand it? Do you find, from talking to your friends, that it is a needed type of program?

Mrs. **Bright**. The Head Start program?

Senator **Kennedy**. Head Start and nutrition programs.

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* See Appendix 2, p. 601.

NUTRITION COULD CURTAIL FUTURE MEDICAL COSTS

Mrs. BRIGHT. The Head Start program is badly needed. The nutrition part should be expanded more to accomodate children, and that is one of the areas. Along with nutrition comes health, we are very concerned about that. We feel, very strongly, if we work with nutrition, possibly later on we won't need as much medical care.

Senator KENNEDY. Have you talked to the other parents about this program in the community? Are they aware of it and support it?

Mrs. BRIGHT. Oh, yes. Actually, Head Start and nutrition are my first names.

Senator KENNEDY. Mrs. Malloy, the Department of Agriculture argues that it does not need to provide food services for these programs out of Section 13 funds because they are already funded for food services from other sources; and that their support would be a duplication. How would you respond to that argument?

Mrs. MALLOY. My first response is that I am not sure that they know what is the need. If you are discouraged from making application, that is, because you are told you are not going to get the money in the first place, you don't bother applying.

That is essentially the feeling when you call the office. So, you know, there is no paperwork involved in all this. What we have done now, is, we have applied for year around and summer programs.

Senator KENNEDY. Here, on the committee, when we are trying to authorize different levels of funding, we ask about the number of applications for various programs—nutritional programs or health centers or whatever. Then, usually the agencies say, "Well, we recommend this level of funding because we have not had many applications." If you look back at that, they are out discouraging applications.

It is a vicious kind of a cycle, and I see it has been working here, in the nutrition area, as well. They discourage it, and therefore there are no applications. Then they say, "this is all the money they could spend."

Mrs. MALLOY. They send applications to the people who already have programs. So, if you don't have somebody out there using time and energy to find out what is available, you are out in the cold.

Then on top of that, you have the response of, "Well, there is no money anyway."

Senator KENNEDY. As I understand, you have 125 Head Start, 250 welfare, and 75 Department of Labor children, is that right?

Mrs. MALLOY. That is, roughly, it.

Senator KENNEDY. Do you find some of those agencies claim the other agencies are providing the resources and therefore they don't?

Mrs. MALLOY. Yes.

Senator KENNEDY. Could you tell us a little bit about that—how that works, or what is said to you—so that we get some kind of idea about it?

Mrs. MALLOY. Well, I can tell you that essentially, when we were sitting in Mr. Stalker's office Monday, he did respond at one point that, "If you are getting this money, from the Welfare Department, then why can't that pay for the food, also?"

It is not adequate for quality nutrition programs. We have only begun to scratch the surface of understanding about the importance of nutrition anyway—even in dealing with the middle class. Certainly, in dealing with the children we are dealing with, they are that much more further behind the game. We are calling it Head Start, and we haven't even caught up.

Senator KENNEDY. What about how the various agencies sort of pass the buck, so to speak. Could you tell us, in the support programs, do you find this happens at all? Or, are they simply underfinanced?

Mrs. MALLOY. Primarily, they are saying they are underfinanced. First, you believe and understand this—you hear it so often. Then you find out something like this $150 million return. It hits you in the face and you say, "I have been fooled again."

Senator KENNEDY. Mrs. Gustafson?

Mrs. GUSTAFSON. Yes.

Senator KENNEDY. Good morning.

I have made that trip down from Boston many times and arrived late, too, so we understand it.

STATEMENT OF MRS. SUSAN GUSTAFSON, DIRECTOR, NEWTON-WALTHAM, MASS., HEAD START PROGRAM

Mrs. GUSTAFSON. Thank you for your indulgence. I am happy to be here, finally. I feel I have been waiting a long time to have this opportunity to talk to you, and anyone else from the Senate who would listen to this rather sad tale.

I think I would call it "administrative dodging" that has gone on with this program that was intended for children. If I could take the time to tell you some of that tale, I believe you would find some of the facts very interesting. I recognize some of my cohorts, here from Massachusetts, and I am glad to see them.

I think they have told you some of what it feels to be like, on the local end of this. I myself feel I have a unique viewpoint because I am not only a local Head Start director from the towns of Waltham, Arlington, Brookline, and Watertown; but, in my former job, I was the Head Start coordinator at the State level. That is where I picked up a lot of experience in the Special Food Service Program—much of it sad.

The theme of this tale, Senator Kennedy, is a perversion of the intent of Congress. I am thoroughly familiar with the Special Food Services legislation, and what I thought was its intent. However, as we go along, we see that it has not worked out the way it was intended.

Late in 1968, some of my fellow workers at the State OEO offices heard about the availability of food service money, and spread the word to local agencies, particularly Head Start.

They got together with Mr. Stalker's office, and he also helped to spread this news. Mr. Stalker sent out a memo, which was a very good one, explaining it. At the time we did not catch the little nuances, in there, where he was emphasizing that this program was for expansion. No one noticed that. It became more significant as time went on.

The program expanded at, I think a normal rate, but got a boost after the hunger hearings in Massachusetts. I think more people began applying at that time—about the summer of 1969.

MEMOS CUT FUNDS FROM PROGRAM

The next event that I noticed that was important for people in the field was the Washington memo from the Department of Agriculture of November 12. This, I think, took great liberties with the definition that the Congress had written as to which institutions were eligible for the service.

I am sure people have mentioned this already this morning, that it cut Head Start programs out of being eligible for the program. Specifically by saying that if they had not applied by November 1, 1969, they would not be eligible.

A few months later, in February, the New York regional office came out with a memo further interpreting what was meant by eligible institutions. Only, this time, I would say it was a little more positive in that they traduced that if you had a newly created Head Start program after November 1, then you could apply for funds.

Senator **KENNEDY**. Could you give that to me one more time?

Mrs. **GUSTAFSON**. Yes. A memo came from the Department of Agriculture in Washington on November 12, 1969, defining what was meant by eligible service institutions. In the original law, as you no doubt know, service institutions are defined in a certain way.

In this memo they said that Head Start was not eligible to apply for funds. They explained that the one exception would be if a promise had been made to a Head Start agency to become part of the Special Food Services Program before the date of November 1, 1969. That contract should then be kept, and those were the only Head Starts that could apply.

I know the memo came out on the 12th, and the date of the ruling there was the first of the month. Then followed the New York memo, which was a little more liberal, because it traduced from the Washington memo in that, if you had a new Head Start program that developed after November 1, you could apply.

Senator **KENNEDY**. What sense does that make?

Mrs. **GUSTAFSON**. It is too arbitrary. It was one of the clues that led me to start investigating to see what was this monkey business that was going on. It does not make any sense to me.

Senator **KENNEDY**. In effect, it cut off eligibility at one date, but also said if you have a new program that you may be eligible, even after that date?

Is that not true?

Mrs. **GUSTAFSON**. That is what it says. It does not make too much sense. It sounds like someone is trying to find a way of limiting it.

Senator **KENNEDY**. What does that do to a local community? Parents that just want to have their children participate in Head Start, take advantage of these programs, and don't have a great deal of time to read through regulations or to be traveling either to Boston or New York to the regional office. Then, when they are confronted with this kind of, as you point out, arbitrary regulations—what does that do to them?

Mrs. Gustafson. I am the director of the first parent-controlled Head Start program in New England. The parents are trying to administer that program as best as they can without, relying on professional staff. I would say that our program came under parent control in February 1970, which would mean, if you want to fool around with definitions, that we could have applied for that money. But it took a year to straighten out whether we were really eligible or not, because it was, indeed confusing.

So in all that year, we could have been using the money that was going into food for some other very valuable services in Head Start. In our program, that would have amounted to at least $15,000, and at the most $30,000 to $40,000.

Senator Kennedy. Just because of administrative bungling, I would think you would have to label it that way.

Mrs. Gustafson. I would like to say that the State Department is very helpful, but it seems the bungling was on a much higher level—which I did discover later on.

Would you agree with that?

Mrs. Malloy. Yes.

Senator Kennedy. We don't want to interfere with the Agriculture Department and the Labor Department, seeing people here. We hope that they will find ways of funding those programs.

All right, Mrs. Gustafson.

Congressional Intent To Include Program

Mrs. Gustafson. After these two memos—one from Washington and one from New York—as you say, we were confused. At that point—I was at the State level—I got a call from a local program which said that they were willing to write to Congressman Vanik and ask him directly what his intention was in developing the legislation. They asked him, "Did you or did you not intend Head Start to benefit under the definition of eligible child-care institutions?" He wrote us back a very nice, succinct letter saying that, "Yes, indeed, he had intended Head Start to be part of that program." I have a copy of that letter in my office, which is one of my proudest possessions.

Ironically enough, just at the time we were writing Congressman Vanik, we were thinking that maybe there was a shortage of money and we were concerned to get aid to apply. Then there seemed to be a surplus of money. As we suddenly heard from the State office, "Please help us go out and beat the bushes and get applicants." It is a very confusing situation. One time we hear that there is no money, and then we hear there is too much money. "Quick, quick, let's get rid of it." That was the summer of 1970.

By the fall of 1970, I happened to be in Washington because Head Start was in jeopardy of being cut, on a total level, the whole program. I took this opportunity to get an appointment at the Department of Agriculture.

I had a very interesting time there. I arrived early; and my eyes sort of wandered, I guess, where they shouldn't have. I saw piles and piles of letters on someone's desk from irate Head Start and Community Action directors asking what the story was, why weren't they eligible? They had been told they weren't eligible, and they wanted to have it clarified by the Department of Agriculture.

When I was finally announced to the man that I had the appointment with, I asked him how he was going to respond to those letters. He was very uncomfortable, but he did tell me that he was going to say something about a "shortage of funds" in his letters.

Then he kind of told me, on the side, when I pressed him, "What do you mean," and "Why do you do this?" He said, "Well, we had made an arrangement with the Office of Child Development." I was irate, but he wouldn't tell me exactly. Then he said, "You should really talk to the Office of Child Development."

I did. The Office of Child Development said that they had agreed to cutting off Head Start from being eligible for the Special Food Services Program, because "they" felt it was a reasonable request.

I do not think that is reasonable at all. I think Head Start children definitely fit the needs and the definitions in the original law.

We spent a lot of time knocking on doors and making sure we get the poorest children into our programs. If you cut Head Start out, I think you are moving up into the more middle-income level, which is OK, but I think this program is trying to help the neediest children.

At that point, we began, in Massachusetts, to put as much pressure on Washington as possible. We organized letter writing campaigns, and so forth. But we never really got too much satisfaction; because, most of the time, the responses to our letters were that so-and-so would check with the Department of Agriculture. I think that is going in a circuitous path.

My concern, after all of that work, is that the Congress carry out its full legislative process and see that—once it has created a law—that it is, indeed, carried out by the administration. If it is not, the only people who suffer are the children—and that was said somewhat sarcastically.

I should tell you that, in contrast to Sheila, I am lucky. I am one, I estimate, of about six Head Start programs out of 23 in Massachusetts that was lucky enough to receive funding for Special Food Services Program.

Redefined as "New" To Get Funds

When I say, "I," I mean as the director of Community United. We had to attain these funds through a rather devious method—by defining ourselves as "new," when it was not exactly true.

Really, Head Start had operated in our area for 3 years prior to the time we applied for the money; but we said we were new, because we were under the auspices of a new agency.

I know of one other Head Start group that did the same thing. They changed auspices and then called themselves new. There were three who called themselves "new" because they changed from operating during the summer to operating during the year. Then there was another one that added some children who went all day long, rather than just for a certain portion of the day. There is an argument that this changed the whole nature of the program and thus they were new, too.

I think it is rather pathetic we had to go and make up those limp excuses, because:

1. We are eligible by law, from the very beginning;
2. As I said before, the Head Start children are really the neediest; and

3. It is pathetic; because, when we don't have this kind of money we have to stretch very limited Head Start resources—which is not good at all.

You are probably well aware of what this does for children. I am sure people who testified on Day Care know, too, how much more alert the children are. How ready to learn when they are not hungry, and they have more stamina and less sickness. Really, it is such an important program.

We cover 3- to 5-year-olds, and it is in that period that it is very important to have good nutrition for the growth of muscles and bones.

As an agency director, I have to admit that the Special Food Services Program is a terrific boon to our budget. Once we got the funding, we were able to open a new center for bilingual children. Later on, I requested that we serve breakfast to the kids in the bilingual center and that was granted. I think that in that area it was a terrific need. I am glad they were able to do that.

I have a request, Senator Kennedy, and that is three things:

1. That the memos sent out by the Department of Agriculture be rescinded;
2. That in the development of new legislation, Head Start be specifically mentioned as eligible; and
3. That the entire Special Food Services Program for children be funded at such a level to really meet the need.

Senator **Kennedy**. That is very precise and very exact, and I think extremely valuable and accurate.

Let me go back into a couple of areas. As I understand, in the funding of your program for these children, you have to go to a variety of different agencies or departments. Is that not so?

Also in the development of Section 13, where the Congress was attempting to coordinate these efforts, this, too, is part of the problem?

Many Programs in Confused Positions

Mrs. **Gustafson**. Yes, some of the Head Start programs, depending on who operates the programs, can get a very confused position. I think the worst example would be: If you were a program funded to a community action agency, then delegated to a school system, and you were interested in getting Special Food Services Programs for children.

We have a case in Worcester. I must say, you would not know what to do. To this day, Worcester does not have help in meeting their food costs. They must take it out of the other operating costs for Head Start.

Senator **Kennedy**. Tell us about that. You mean a diversion of Title I funds, for example?

Mr. **Gustafson**. That is a possibility.

Senator **Kennedy**. Could you tell us just about that? How, on the one hand, funding for educationally under-served young people are being diverted to the food area?

Mrs. **Malloy**. I am at a loss to explain. I know that it is possible under the legislation of Title I, so as not to duplicate effort to do that.

Senator **Kennedy**. It is being done, as I understand it.

Mrs. **Malloy**. Yes, I understand that, but I would question that we are not eligible for Section 13.

Mrs. Gustafson. Senator Kennedy, something that has disturbed me, in that regard in the past, is that in our Head Start agreements it says that we must spend a great deal of time mobilizing resources—Federal, State and local. Then, when we see an opportunity like the Special Food Services Program to help us with our food costs, we go out to mobilize it. I think that is very reasonable.

I also think, from my long association with Head Start, that it is exactly what Head Start intended local people to do—to not be completely dependent on the Head Start source of funds.

Senator Kennedy. Who would you make eligible for these programs for nutritional supplement and the feeding programs? You have all had experience. You have coordinated the State program for Head Start, you have worked in a local community, and one of you is the mother of a child who has been a recipient. Who would include as eligible in these programs? Do you want to broaden the categories?

Mrs. Bright. All of the children in Head Start.

Mrs. Gustafson. I would like to broaden it to some other categories that were eliminated by the memo I spoke about. They were Group Day Care and Family Day Care. I am assuming they were eliminated because it was not an established agency that you could easily deal with administratively. I think that is a dodge.

Senator Kennedy. We had testimony earlier from the New York group that pointed up the need for that. Are we typical in Massachusetts, or are we special, or is this from your conversations with those that are trying to run programs in other cities around the country?

Do they face similar kinds of difficulties? Are we unique?

Mrs. Gustafson. Oh, no. We made some attempt, in previous years to contact people from other States; and it sounded like the same thing was happening.

Senator Kennedy. All right. Thank you very much.

Our final witness is Congressman Charles Vanik from the 22d District of Ohio. He is author of legislation under Section 13—the National School Lunch Act—providing for special fund programs for children.

STATEMENT OF THE HONORABLE CHARLES VANIK, A REPRESENTATIVE IN CONGRESS FROM THE 22d DISTRICT OF THE STATE OF OHIO

Mr. Vanik. I have with me Mr. Bill Vaughn, who has been with my office for quite some time. He has done a great deal of work on this program.

I appreciate this opportunity to appear before your committee. I will attempt to be brief, and I would like to concentrate my remarks on the Special Food Service Program—Section 13 of the School Lunch Act.

As you stated previously, this legislation was enacted to pull together the programs for this group of people. As sponsor of this legislation, I share the disappointments and frustrations of all of you who have supported it. Also, of the social service agencies and institutions around the Nation who have attempted to use the program.

Section 13 was first started in 1968 to extend school lunch type services to public or nonprofit institutions which provide Day Care and other nonresidential child care to children from low-income areas.

The particular emphasis behind the legislation, the particular reason for the creation of this program in 1968 was the fact that the number of Government-sponsored preschool assistance programs was beginning to grow by leaps and bounds. And, there were no particular feeding programs for which these preschool students were eligible. At the time the bill was passed, there were some 700,000 preschool children in various Head Start programs.

In addition, the Congress had just passed some major amendments to the welfare program which were estimated to refer an additional 500,000 children to Day Care centers. The same situation prevails today. While it is uncertain what final form new welfare legislation will take, almost all the plans include heavy reliance on Day Care centers for preschool children.

The House-passed version of H.R. 1 would provide immediate Day Care center support for 875,000 children. Other bills under consideration—such as the Senate bill of yesterday—provide for substantial expansion of Day Care and Head Start centers. The need for Section 13 is perhaps more vital today than when the bill passed 4 years ago.

As in the past years, this summer's Section 13 program has been surrounded by a great deal of last minute confusion and funding difficulties.

I hope that we can avoid these difficulties next summer. But right now, I am primarily worried that the year around program—the school year program which will begin again in September—will be grossly underfunded.

One-Tenth of Appropriated Funds Unused

For the fiscal 1972 school year program, Mr. Chairman—the program just ended—$20.775 million was available in direct appropriations. This amount was inadequate—and yet even this amount was not fully used, Mr. Chairman, because of a deliberate plan not to use it. Tens of thousands of children were unable to participate in these feeding programs because the level of funding was too low—yet the Department of Agriculture allowed $2.1 million of the appropriated money to go unused.

In light of the inadequate funds for this last school year, it is even more unconscionable that the administration is requesting the same amount for the coming school year—$20.775 million—plus, of course, the carryover of $2.1 million which was "saved" in fiscal 1972—saved by not feeding hungry children.

Again, this is totally and completely inadequate. It has been estimated that up to $100 million will be needed to fully serve eligible children in eligible programs in the school year program.

Almost any State director—and your representatives from Massachusetts, gave typical reactions to this program—can tell you that this past year's program was inadequate. And, with rising costs, next year's program will be even more inadequate.

In late December, I polled the various State directors of the Section 13 programs as to the adequacy of their State allotments. Out of 28 States which responded, 19 States indicated that they did not have enough money to fully fund their school year program applications.

For example, Hawaii, Massachusetts, and Minnesota indicated that, under the allotment provided them, they would probably have to cut the level of reimbursement to programs or terminate programs. Other States indicated that they had enough money—but only because they had been instructed by the Department to limit the acceptance of applications. They were told to mark down their needs in order to receive a favorable consideration from the Department.

Comments of State Directors

For example, in the letters which I received from the State directors, the following typical comments were supplied:

FROM MASSACHUSETTS

> From July to November, $117,709.90 has been expended for payment of food. We estimate that food payments only, for the year, will amount to $307,200. Unless a supplemental budget of approximately $58,700 is approved, this program must be curtailed in April. Because of the insufficient funds, no nonfood assistance applications have been approved.
>
> Because of past indequate funding, we are not accepting any new applications for summer programs in fiscal 1973. A request from Boston with 32 centers had to be refused in fiscal 1972.

FROM ILLINOIS

> The second question you raised is the estimated dollar value of all Section 13 applications received. The applicacations we have pending are estimated to amount to about $24,000 per month. However, I would like to make clear that, under the instructions received from the Department of Agriculture, we have discouraged applications for this program: and have publicized the fact that funds are very limited. I believe that it is a fair statement that our present Section 13 programs could easily be doubled—which would require approximately $60,000 per month on a 12-month basis.

FROM KENTUCKY

> It seems, at this time, that Section 13 funds available to Kentucky for fiscal 1972 are adequate. Had the participation period been longer in several cases, the financial picture would have been different, and no doubt additional funds needed.

FROM MICHIGAN

> We believe, however, that these funds are not adequate for two reasons:
>
> 1. We have been informed by the USDA that no new programs should be approved because of the lack of funds and that this is substantiated by,
> 2. Much to do that is currently being raised by other agencies; Head Start programs in particular to substitute Section 13 funds for food budgets previously provided through OEO, or other agencies.

FROM OKLAHOMA

> We stopped taking applications, as the Federal agency advised us not to expand. We have had a number of inquiries and gave a negative answer. It seems that some are in trouble because other sources of help have withdrawn.

I was of course concerned about the fact that there were a number of States that would be running out of funds before the end of the school year. I wrote to the Department asking what steps they would take to request supplemental funds to help these States.

In letters of December 3 and 7, and in subsequent telephone calls, the Department indicated that it would be transferring funds from States which would not use all of their allotment to those which had deficiencies. I have just received a letter and table from Assistant Secretary of Agriculture Richard Lyng—and I would like to enter this in the hearing record—which states that the Department is in a position—at the end of the school year and after a great deal of uncertainty—to "reposition funds to cover [the deficient States] full [fiscal] 1972 year round funding needs," necessary to maintain their spring of 1971 rate.

Senator **Kennedy**. That letter will be made a part of the record.*

Mr. **Vanik**. Something is obviously in error here. As I said above, 28 States replied to my poll of last December—many States have their Section 13 programs run directly by the Department and this accounts for the failure to obtain a larger response.

Nineteen of those States indicated deficiencies over what they needed and could have properly used. Using proportions, if all 50 States had been able to respond, 34 States would have reported deficiencies and inadequate levels of Federal support.

Yet the Department's letter of June 13th says that 30 States had surpluses.

Mr. Chairman, I hope your committee and its staff will get to the bottom of this discrepancy, because the reports I have received from the various State agencies are in direct conflict with what we are told by Agriculture.

I don't believe there are 30 States with "surpluses." The surpluses have been created by orders from the Department of Agriculture to discourage and deny applications.

Therefore, yesterday I called a number of State directors to determine whether the "repositioning" of funds met their needs to "maintain operations at the 1971 rate" and whether it met their real needs.

It was only possible to check a few States in this short time that I had; but, I would like to list here several of the comments I received. In general, the repositioning of funds prevented any States, such as Massachusetts, from terminating or reducing the reimbursement of their "approved" programs.

"Repositioning" Caused Denial of Programs

The unanimous complaint of the State directors whom I called yesterday was that they had been forced to deny worthy programs and children in need. Also, that they expected that they would have to do so again next fall. The real need was not met.

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*See Appendix 2, p. 607.

ARIZONA

Thirty program sites denied; approximately 1,000 eligible children unserved.

CALIFORNIA

Despite a repositioning of $154,620, the State has a deficit of this past school year's operations of $162,750, which they "hope" the Department will cover. Total allotment to California to date has been about $0.5 million; next year they could easily use $1 million, if the needs of their low-income children are to be met.

COLORADO

Twenty-three program sites on a "waiting list" involving 1,000 children.

MARYLAND

Thirty-four programs denied involving 1,000 children.

MASSACHUSETTS

Basic allotment, $248,512; repositioning $91,892—still leaving a deficit of $40,000. Applications worth $350,000 denied.

MICHIGAN

Thirty programs denied, approximately 750 children unserved.

MINNESOTA

A large number of applications in the "pending" file, with many "discouraged" from even applying.

In considering these denials, it should be remembered that the Department did not spend all the money appropriated for fiscal year 1972.

Yet there is another point, Mr. Chairman. Under the law, as you know, the funds in Section 32 are available to the Department of Agriculture for use in this program. However, instead of using these funds in this program to provide nutrition and growth and health to children, the Department of Agriculture managed to pass a bill in the House of Representatives that would use the Section 32 funds to replenish the forests which are being harvested out of the national domain.

Now, certainly, children are as important as trees, and I think that we ought to look very, very carefully at the shifting emphasis on where the real needs ought to be. I think the trees that are harvested ought to be replaced, but they should be replaced by those who have cut them.

They should carry that burden as part of their overhead expense instead of using Section 32, which belong to the total resources of the country, in this special program.

Senator Kennedy. Congressman, I don't understand that trees business, and——

Plant Trees Instead of Feeding Children

Mr. Vanik. Well, you see, the Department of Agriculture has authority to use funds from the Section 32 tariff accumulations for the conduct of this program. They have elected not to do it. Instead, the Department is planning to use these funds, which are created through tariff accumulations, to stimulate the replantings of forests, of the national domain, which we are allowing private industry to cut down. Instead of making private industry replace the trees as they are cut in the national forests, they are taking these Section 32 funds which otherwise would be available for these food programs. They are using these funds to replenish and reconstitute the forests, which are being cut down, as a part of the reforestation program of the country.

Senator Kennedy. Doesn't it suggest that the timber interests are more powerful than the hungry?

Mr. Vanik. That is precisely the point. It is $75 million in the first bite, and they are planning on taking more. This bill will shortly be before the Senate. You are absolutely correct. The lumbermen of America are more successful in getting the use of these funds than are the people who administer the various food programs.

Senator Kennedy. Can you tell me whereabouts is the legislation? Is it in appropriations?

Mr. Vanik. The bill passed the House of Representatives 3 weeks ago. I think it is a bill which should be very carefully reviewed by the Senate and by the committees, because what it amounts to is a diversion of not general fund moneys, but tariff proceeds to a special industry program.

It was reported out and recommended by the Agriculture Committee of the House of Representatives.

Not only is past funding inadequate, but it is my understanding that in fiscal 1973—that is, for the school year programs beginning in September—those 30 States which had "surplus funds" will be able to accept new applications and programs. However, the States with the deficiencies—generally the large urban States like Massachusetts and New York, with the most critical concentration of poverty—will not be able to expand their programs over their 1972 rate which is the total they were allotted, plus what they received from repositioning.

What is structured in the present policies of the administration is an attrition, a cutback in this program.

It is obvious from these letters and telephone calls that the need is not being met—the real funding money is approximately $100 million. It is probable that full and open funding of the present year-round programs would run between $32 and $40 million.

In addition, migrant labor children appear to have been largely ignored by the administrators of Section 13, perhaps because they don't quite fit into a regular school year of summer program "time schedule."

Up to $10 million is needed to meet the needs of this particular low-income group. It also appears that a good deal of Title I Elementary and Secondary Education Act money, designed for the education of children, is spent on food to improve their alertness. I think that was brought out by the previous witnesses from the State of Massachusetts. Much of this expenditure, perhaps as much as $30 million, could be picked up by Section 13 and the Title I money saved for more teachers.

Finally, and I would like to make a special point of this, a great deal of Head Start money is being spent on food—reducing the amount available for this preschool enrichment program. The $30 million or so of Head Start money being spent on food could, and should, be picked up by Section 13. This is where the program belongs.

As I stated, at the beginning of my testimony, Section 13 was specifically designed to use the expertness and resources of the Department of Agriculture to help make programs like Head Start a success. Yet against the direct will of the Congress, on November 12, 1969, the Department of Agriculture issued a ruling declaring that Head Start projects not funded before November 1, 1969, are ineligible to participate in Section 13.

Thus, Head Start, which has had a relatively stable budget for the last 2 years, has suffered by being unable to take advantage of the Section 13 program—and the need for funding of Section 13 has been understated.

INTENT OF CONGRESS FOR SECTION 13

~~I repeat.~~ This was not the intention of the Congress when this bill passed. I would like to place in the record the House Report on some of the debate on the floor of the House which indicates that the Head Start children were to be aided by the Section 13 program.

> Recent Congressional provisions stress day-care facilities in the Model Cities program, in the authority granted the Office of Economic Opportunity . . .

In the debate on the floor of the House, I stated that eligible service institutions included Head Start centers and that:

> With the advent of Head Start and other Day Care centers, it has become administratively feasible to originate an early childhood nutrition program to provide an adequate diet for America's disadvantaged children before irreparable damage is done.

Several other Members referred to the passage of the bill in connection with Head Start needs and experiences. On the Senate floor, Senator Muskie included Head Start children among the numbers of those who would be helped by Section 13 while Senator Yarborough referred to Section 13 as a "physical Head Start program."

In light of this legislative history, it is imperative that the Department withdraw its 1969 regulations. Certainly new child-feeding legislation, which is being considered by the House Education and Labor Committee, must make it clear that Head Start programs are to be assisted by Section 13-type programs.

A few minutes ago you asked one of the witnesses whether these programs should be mandatory. I believe that the feeding of the hungry children of America is such an important program that the spending for these programs should be made mandatory—a mandatory obligation of the Department of Agriculture.

I want to thank you for your time. In conclusion I want to state that 3 years ago, the President said that it was his goal, ". . . to end hunger in America for all time." I might add that, 40 years ago, one of Roosevelt's top advisers said that, "Hunger is not debatable . . ." Yet here we are debating it.

It would be my hope, therefore, that your committee will continue its very fine efforts to suggest improvements in legislative language, to insure that these various food programs receive a more adequate level of funding—and a better quality of administration.

I might say, Mr. Chairman—in the nature of a desperate appeal—that this vital program, this Section 13 program, in my judgment is seriously threatened unless your committee can point up some of the great need for its adequate funding; and for the adoption of regulations by the Department which are going to make the program meaningful; to carry out the will of Congress.

Senator **Kennedy**. It is a very fine statement, Congressman. And, as the real mover in the Congress on this whole program, to hear your definition of the authority and intent and legislative history. Of course, it is enormously valuable; and, it certainly was my understanding, as this legislation was developed, that was the intention. What we have seen is that intention corrupted by administrative bureaucracy and the propounding of various regulations.

So I want to express appreciation for your comments here. I also think that your comment—that we should mandate those programs, the money for them—is a very worthwhile suggestion. We do that in the Hill-Burton program, and there is really no reason that we should not do it on this. Particularly, given the track record of recent years; which quite clearly, as you pointed out, frustrates the whole intention and priorities of Congress.

With the $135 million available under Public Law 92–32, the Section 32 funds, and the $49 million budget request, plus the extra money promised for the summer, we could do all that you have described under Section 13. Would you agree?

Mr. **Vanik**. Yes, we could carry this out, and meet the sanctions of Section 13.

Senator **Kennedy**. Could you tell us a little bit about this program, as it worked in your own district, and the administration of it? Has it worked pretty effectively, or have you heard, from some of your people who have been administrating the program, their frustrations as well?

Frustrations for Small Programs

Mr. **Vanik**. Well, I might say, Mr. Chairman, that we have had all of the reports of frustrations that you have heard this morning. I was wondering if I might have Mr. Vaughn give you some of the comment that we have had.

Mr. **Vaughn**. We have the city of East Cleveland in the Congressman's District. Last July and August, they ran a program, a very excellent program, and they have not yet been reimbursed. It is just $2,133 that they are still waiting for, but they have been writing regularly to the Department once a month because they need the money.

Last year, we had a typical situation in the case of Western Reserve University, which attempts to run pilot projects to educate and feed low-income children. Because of the late funding and the regulations of the Department, they did not get started until last July.

They asked for $10,000, but they were only able to spend $1,400 because they got started late. Therefore, they were told in April, that, under the new regulations they would be only allotted $1,400; and that their program, which was expanding, would not be able to get the extra money.

Only in about the last 2 weeks did some extra money come through. This creates tremendous confusion and just an impossible budget situation.

Mr. VANIK. It appears then, from what we have been able to develop in our own communities, that it is a deliberate administrative effort to sabotage the legislative purposes of Section 13.

It is a very unsympathetic administration of the law, and I think, under these conditions, it behooves Congress to probably mandate the administration of these programs and take away some of the discretionary power to erode and destroy these programs by administrative action.

It certainly misuses the mandates of Congress and the legislative processes.

Senator KENNEDY. What is the impact of requiring reimbursement or, rather, of holding it up for a period of time, maybe 6 months or longer, to nonprofit groups?

What does that do to their programs?

Mr. VAUGHN. In the case of Western Reserve, which is certainly nonprofit, it created a tremendous confusion.

Senator KENNEDY. Do you mean that some which are nonprofit could not do it, because they don't have the capital to do it?

Mr. VANIK. That is right. They will drop the program, and this program is so essential. Here we are going into a tremendous program of Day Care, and this is such an integral part of it. There can't possibly be a successful Day Care program without an implementation of Section 13 funds to provide for the nutrition that these young people will need under the Day Care program.

So, on one hand, we are appropriating and planning tremendous programs of Day Care in order to convert people and lift them from their welfare status to a better station in society. Then, on the other hand, we are denying the young people involved the food, the nutrition which is absolutely the prime requisite for the success of any of these other programs.

Senator KENNEDY. Congressman, next year we have the requiting of that. I mean the School Lunch Program, the Section 13 provisions come up next year and I suppose we will have an opportunity then.

Mr. VANIK. We did come up with some language which provided for a rewriting, to which I would direct your attention.

Those are set out in H.R. 14896,* which I know you have. We must be mindful of what they are doing to this program, and I don't think that H.R. 14896 has mandated the program.

I think it is just open funding, and I believe that is incomplete. It would be my hope that, over on this side, you might mandate and complement this legislation, which is open funded, by mandating the expenditures within the categories of need.

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*See Appendix 2, p. 609.

Because they are so easily defined. It is the welfare people and the working poor. There is no problem of identifying the people who would deserve the entitlement under this program.

Senator **Kennedy**. Thank you very much, Congressman. We are going to hear from the administration tomorrow.

Mr. **Vanik**. Thank you very much.

Senator **Kennedy**. We will look forward to having their response. The committee is in recess, to reconvene on Thursday at 10 a.m.

(Whereupon at 12:15 p.m., the Select Committee was recessed, to reconvene at 10 a.m., on June 22, 1972, in room 6202 of the New Senate Office Building.)

APPENDIXES

Appendix 1

ITEMS PERTINENT TO HEARING OF APRIL 7

Material Submitted by the Witnesses

FROM MAYOR MAY

YOUTH OPPORTUNITIES PROGRAM

THIS PORTFOLIO WAS DESIGNED AND PRINTED BY PARTICIPANTS
IN ONE OF THE 1971 SYOP PROJECTS.

SUMMER YOUTH OPPORTUNITY PROGRAM, COMMITTEE

Joseph Ferrari, President, Monroe County Legislature, Honorary Chairman
Stephen May, Mayor, City of Rochester, Honorary Chairman
Cornelius J. Murphy, Secretary-Treasurer, City-County Youth Board, Chairman

Mrs. Jerry Riordan, Budget Director, Community Chest
Edward Croft, Executive Director, Rochester Jobs, Inc.
James Dunphey, Director, Citizens Planning Council
James McCuller, Executive Director, Action for a Better Community
Harvey Robinson, Field Representative, New York State Division for Youth
James Sebaste, Assistant Superintendent of Vocational Education, Rochester City School Board
Mrs. John Lawless, Chairman, City-County Youth Board
Lyndon H. Wells, Vice-Chairman, City-County Youth Board
Mr. Charles Fitzgibbon, 2nd Vice-Chairman, City-County Youth Board
Mrs. Burton Kaplan, Executive Committee, City-County Youth Board
Jay M. Friedman, Executive Committee, City-County Youth Board

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City-County Youth Board

Rochelle White
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Sharon Beckman
Program Specialist

ASSISTANTS TO THE YOUTH COORDINATOR
John Blackwell
Carolyn Silas
Stanley Staffney

SUMMER YOUTH OPPORTUNITY PROGRAM FINAL REPORT OF EXPENDITURES FOR 1971

PROJECT	OPERATING AGENCY	SOURCE OF FUNDS	SUB-TOTAL	PROJECT TOTAL
Community Youth Services	St. Matthew's Church	OCCP In-Kind	$ 11,430.00 $ 1,426.66	$ 12,856.66
Youth University	WEDGE	OCCP In-Kind	$ 6,470.76 $ 633.60	$ 7,104.36
Neighborhood Improvement	Lewis Street Center	In-Kind	$ 9,712.42	$ 9,712.42
Narcotics Education	FIGHT	OCCP In-Kind	$ 6,856.18 $ 4,298.99	$ 11,155.17
NEAD Youth	NEAD	OCCP In-Kind	$ 6,967.15 $ 1,820.49	$ 8,787.64
New Life Council	Baden Street	OCCP In-Kind	$ 16,426.09 $ 2,392.74	$ 18,818.82
Educ. & Cultural Enrichment	Ibero-American Action League	OCCP In-Kind	$ 52,500.80 $ 8,352.31	$ 58,853.11
Martin Luther King	St. Francis Xavier	OCCP In-Kind	$ 9,325.40 $ 1,921.17	$ 11,246.57
Community Tutors	19th Ward Association	OCCP In-Kind	$ 10,064.93 $ 1,325.00	$ 11,389.93
Remedial Education	Office of Human Develop	OCCP	$ 10,699.83	$ 10,699.83
Educational Opportunity	State University of N.Y. at Brockport	OCCP		
Youth Journalism Training Program	Options Open Inc.	OCCP	$ 9,086.99	$ 9,086.99
Youth Summer Seminar in Management Training	SCLC	OCCP	$ 16,680.08	$ 16,680.08
Summer Soul School	Calvary-St. Andrews Parish	OCCP	$ 14,852.20	$ 14,852.20
Black Teens	FIGHT, ABC	OCCP	$ 35,159.23	$ 35,159.23
Rochester Presents	City Recreation	OCCP	$ 18,327.73	$ 18,327.73
Summer Swim	City Recreation	OCCP	$108,285.13	$108,285.13
Community Play Lots	City Recreation	OCCP	$ 81,552.40	$ 81,552.40
Junior Sports	City Recreation	OCCP	$ 8,273.87	$ 8,273.87
Recreation Aides	City Recreation	OCCP	$ 14,398.55	$ 14,398.55
Hometown Beautification	City Recreation	OCCP	$ 27,225.93	$ 27,225.93
Cultural Workshops	City Recreation	OCCP	$ 26,920.06	$ 26,920.04
Rec. Projects Administration	City Recreation	OCCP	$ 13,315.01	$ 13,315.01
Trip Center	City County Youth Board	OCCP City	$ 78,034.25 $ 7,208.02	$ 85,242.27
SYOP Administration	City County Youth Board	OCCP City County	$ 17,592.42 $ 5,443.80 $ 5,443.80	$ 28,480.02
Westside Summer Fun	YMCA	Community Chest	$ 4,867.72	$ 4,867.72
Charles House Summer Activities	Charles Settlement House	Community Chest	$ 1,784.69	$ 1,784.69
Charles House Advanced Day Camp	Charles Settlement House	Community Chest	$ 2,322.00	$ 2,322.00

PROJECT	OPERATING AGENCY	SOURCE OF FUNDS	SUB-TOTAL	PROJECT TOTAL
Summer Health Information	Heart Association	Community Chest	$ 6,381.30	$ 6,381.30
Summer Fun	Girl Scouts and Genesee Valley, Inc	Community Chest	$ 21,076.42	$ 21,076.42
Neighborhood Centers	YWCA	Community Chest	$ 21,684.53	$ 21,684.53
YMCA Northeast	YMCA	Community Chest	$ 13,944.47	$ 13,944.47
YMCA Youth Employment	YMCA	Community Chest	$ 4,954.25	$ 4,954.25
YMCA Northwest	YMCA	Community Chest	$ 10,646.35	$ 10,646.35
Spanish Skills	Lewis Street Center	Community Chest	$ 16,675.73	$ 16,675.73
Project Cleanup	Catholic Family Center	Community Chest	$ 11,613.02	$ 11,613.02
Emergency Furniture Replacement	Catholic Family Center	Community Chest	$ 6,000.00	$ 6,000.00
Summer Settlement Arts	Hochstein Music School	Community Chest	$ 17,100.88	$ 17,100.88
Pied Piper Roving	Montgomery Neigh. Ctr	Community Chest	$ 3,849.47	$ 3,849.47
Pied Piper	Baden St. Settlement	Community Chest	$ 8,764.76	$ 8,764.76
5 & 6 Year Olds	Baden St. Settlement	Community Chest	$ 4,769.17	$ 4,769.17
Firefighters	Rochester Fire Dept	Rochester Jobs Inc	$ 18,299.79	$ 18,299.79
TOPS	Rochester Police Dept	Rochester Jobs Inc	$ 30,719.53	$ 30,719.53
Learning Now	Rochester Northeast Development	City	$ 14,711.39	$ 14,711.39
Project Uplift	Urban League	City	$ 13,696.50	$ 13,696.50
Expansion Summer Day Camp	Eastside Community House	City	$ 3,196.72	$ 3,196.72
NEAD Fun Club	North East Area Develop. Inc. NEAD	City	$ 6,524.51	$ 6,524.51
Mental Health	Mental Health Chapt. Health Association	City	$ 2,950.51	$ 2,950.51
Teen Drop In Center	Northeast District Council	City	$ 7,783.64	$ 7,783.64
Brockport State Summer Youth Sports	State University of N.Y. at Brockport	City		
Intervention Program	University of Rochester Dept. of Psychology	City	$ 3,278.25	$ 3,278.25
Camp Education & Cultural Enrichment	Urban League	City	$ 5,175.11	$ 5,175.11
Research and Evaluation	City County Youth Board	OCCP		

FINAL EXPENDITURES BY SOURCE OF FUNDS

OFFICE OF CRIME CONTROL PLANNING	$598 444 96
COMMUNITY CHEST	$156.434.76
ROCHESTER JOBS INC.	$ 49.019.32
COUNTY OF MONROE	$ 5.443.80
IN-KIND (OPERATING AGENCIES)	$ 31.883.38
CITY OF ROCHESTER	$ 69.968.45
TOTAL	$911 194.67

1971 ADMINISTRATIVE EVALUATION

The 1971 Summer Youth Opportunity Program was in every respect the largest and most successful yet completed. More youths were served, more programs were operated, more money was spent and a broader range of benefits was accomplished than ever before. Naturally, improvements can and will be made in future years. However, the Youth Board and the community can reflect upon the 1971 SYOP with pride and a sense of a job well done.

The time has come to drop the "S" from SYOP: to acknowledge the importance of a continuous planning process for a year-round Youth Opportunity Program.

In 1968 and 1969, the Youth Board provided staff assistance to the City Manager's office in administering the Summer Youth Opportunity Program. In 1970, the Youth Board Executive Director was appointed Youth Coordinator by the City of Rochester and the County of Monroe. From that point to the present, the Youth Board's formal and informal involvement with SYOP has been year-round. On the basis of evaluations performed during the summer of 1970, it was determined that several programs were worthy of continued support during the school year and thereafter. Thus, Youth Board staff have been continuously involved since the summer of 1970 in seeking funding and providing guidance and staff attention required by a number of programs that grew from summer - only projects to full fledged, year-round operations.

In 1971, the Youth Board assumed full responsibility for SYOP when the Board was formally designated by the Mayor of the City of Rochester and the Manager of the County of Monroe to assume the official leadership role in planning the SYOP program, and the Youth Board Executive Director was reappointed to the role of Youth Coordinator.

Following the announcement of these responsibilities, a Youth Board sub-committee was created that included representatives from other planning, funding and operating bodies in the community in addition to the Youth Board. This sub-committee acted as the Summer Youth Opportunity Program Planning Committee, providing the vehicle by which truly coordinated community planning of youth activities could be carried out. It is recommended that this committee structure be repeated in future youth opportunity program planning.

Among the first tasks of the SYOP Planning Committee were the establishment of priorities and criteria against which program proposals could be judged, and the adoption of a general method of operation to carry the program through the coming months.

After the Planning Committee had accomplished these early, basic chores, the Youth Board staff accelerated its efforts to develop the best possible program for the 1971 project. In February, project proposals were solicited from agencies and organizations in the community for consideration as part of the overall Youth Opportunity Program. These included twelve-month proposals as well as special summer programs. An earlier deadline at this juncture would have been helpful, providing additional time for the review process and, it is hoped, enabling the earlier assembly of the entire SYOP package. This in turn would permit an earlier start to the search for funding.

The Community Chest of Rochester and Monroe County, which funds Red Feather organizations and which has played a significant part in previous Summer Youth Opportunity Programs, cooperated by following the procedure outlined for SYOP agencies. Chest supported agencies used the same application forms, submitting their proposals to the Chest for financial review. The Chest then forwarded all of the proposals to the SYOP planning body for consideration along with other non-Chest proposals in the context with the total youth program.

Each proposal that was received was assigned to one or another Youth Board staff member, who filled out an assessment form on it. These forms placed various elements of the proposals in uniform order and permitted more meaningful comparisons. All assessment forms were then reviewed at staff meetings, where additions or corrections were made if needed. If it was apparent that a proposal failed to follow the basic priorities established by the SYOP Planning Committee, it was rejected at this time. The proposals and assessment forms were then mailed to SYOP Planning Committee members, along with a suggested priority rating. The package that was ultimately proposed by the Planning Committee was reviewed by neighborhood groups and community organizations from the areas affected by the program. The project proposals that survived this final examination were then submitted to various funding bodies for their consideration.

This planning process is essentially sound. It permits true community planning, in that the many diverse groups affected by the SYOP, whether at the planning, funding or operating level, were kept involved and informed at every stage.

One direct result of this local involvement, and one of the strong points of the entire SYOP program, was that residents of the target area were able to perceive ways in which they themselves could work effectively to improve their environment, and to make specific program proposals. A vast majority of

1971 SYOP programs were in fact planned, proposed and operated by groups drawn from and representative of the communities being served.

Another strength in this planning process is that it makes it possible for programs operated on a short term, summer-time-only basis to be continued year-round, if the extensive evaluation indicates that the program has sufficient merit to warrant such extension and if the program lends itself to twelve-month operation.

Certain refinements of the planning process can be accomplished, of course, and some of these will be in effect for the 1972 program. For example, the Youth Board staff and Planning Committee will be better informed about some other important community programs affecting youth, some of which have developed during the past year. Their presence may indicate the need for a shift in geographical or programming emphasis. Also, the staff and planning body will be in a better position to judge the talents and capabilities of many of the organizations or agencies expected to submit proposals, because of the evaluations of their 1971 performances.

After the planning process had been completed, a well-rounded package had been developed, but the sources of funding to allow the implementation of this package was still unknown. Youth Board staff now concentrated its efforts on finding the money with which to finance the many programs that had been deemed necessary by all involved in the planning. These efforts were rewarded when several major grants were provided allowing implementation of the entire package. The largest grant was received from the Office of Crime Control Planning. A one million four hundred thousand dollar grant was approved by that State agency, allowing a goodly portion of the program to be financed. The Community Chest, which has been most cooperative in Summer Youth Opportunity Programs for the last two years, provided one hundred ninety thousand dollars for the operation of approved Red Feather agency programs. The City of Rochester provided one hundred thousand dollars. In addition to these major financial gifts, many others contributed significantly. Individual organizations provided 25% of the budgets for their year-round program. Other arrangements were made whereby certain agencies provided some funds to certain programs.

Experience proved that there is real merit in funding SYOP from a variety of sources: more money is usually forthcoming; each funding body has the opportunity to support those programs that best fit its philosophy; and broadly based community planning is more likely to occur. This multiplicity of funding sources is a healthy condition that should and will be encouraged in future years.

One major problem of the 1971 SYOP that gave rise to numerous other difficulties was the date at which funding was announced. Due to circumstances beyond any local control, it was late in June before assurances were given that certain projects would be able to operate. As is pointed out in a variety of the individual project evaluations, this had a very real, very large, very negative effect on the ability of the project to achieve the stated objectives.

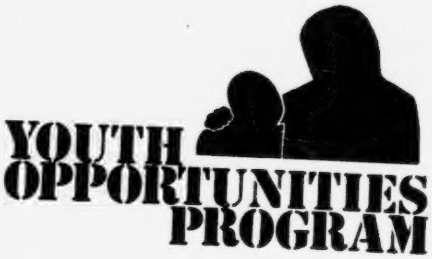
For example, this uncertainty made it impossible for operating agencies to recruit staff in time to be assured of getting the best people; staff hired at the last minute could not be adequately trained; and staff could not be involved in the preliminary planning that is vital to a well organized program operation.

This is a major drawback in the Youth Opportunity Program, and will require much attention in the preparation of the 1972 package. Local funding sources must be encouraged to make their intentions known early, and the OCCP must be petitioned to consider and decide on its applications early enough to permit efficient implementation. Of all the difficulties faced by the 1971 SYOP, the lateness of funding was basically responsible for more problems at the program operating level than any other single factor.

The additional administrative and supervisory personnel made available in 1971 by part of the OCCP grant provided an essential service to the entire summer and year-round program package. The advantages provided by this kind of professional resource cannot be overrated. The additional staff members were highly instrumental in making the entire program a success. The Program Specialists, along with the Assistant Youth Coordinators, made it possible for the Board to be familiar with each project on almost a daily basis. This provided the opportunity for reviewing trouble situations before they became insurmountable, and also made possible a continuing dialogue between program operators and overall administrators. The financial staff, made up during the summer of four field auditors, provided enormous assistance to the program operators in the preparation of their required financial documents. This in turn helped the Youth Board keep more accurate records and to document expenses much more adequately and successfully than had been done in the past.

For the efficient operation of a program costing well over a million and a half dollars, a qualified staff of sufficient size is mandatory. Without the administrative grant from OCCP, the Youth Board could not have provided service to the SYOP programs. It is essential that this kind of supervisory capability be sought and made available again.

The Youth Board staff is now in the process of planning for 1972. Much attention is being given to areas where improvement is needed, where problems were encountered, and where a better job of serving community youth can be done. We are confident that the fine experience of 1971 will result in an even better and more complete 1972 Youth Opportunity Program.


YOUTH
OPPORTUNITIES
PROGRAM

FROM THE USDA

APRIL 14, 1972.

Hon. GEORGE MCGOVERN,
Chairman, Senate Select Committee on Nutrition and Human Needs,
U.S. Senate.

DEAR MR. CHAIRMAN: Enclosed are materials requested at the April 7 hearings of the Senate Select Committee on Nutrition and Human Needs.

The materials are (1) copies of the recently developed handbooks for sponsors and site personnel of summer feeding programs under the Special Food Service Program, (2) a list of problems uncovered in the survey and audit of last summer's programs, and (3) reports of our Food and Nutrition Service reviews of local programs.

We have requested the Office of the Inspector General to forward a copy of their audit to you.

A question was raised at the hearings regarding over payments of Special Food Service Program funds in Milwaukee, Wisconsin. Our review of the program in Milwaukee did not reveal such a problem, and we would appreciate receiving specific information if you wish us to pursue the matter.

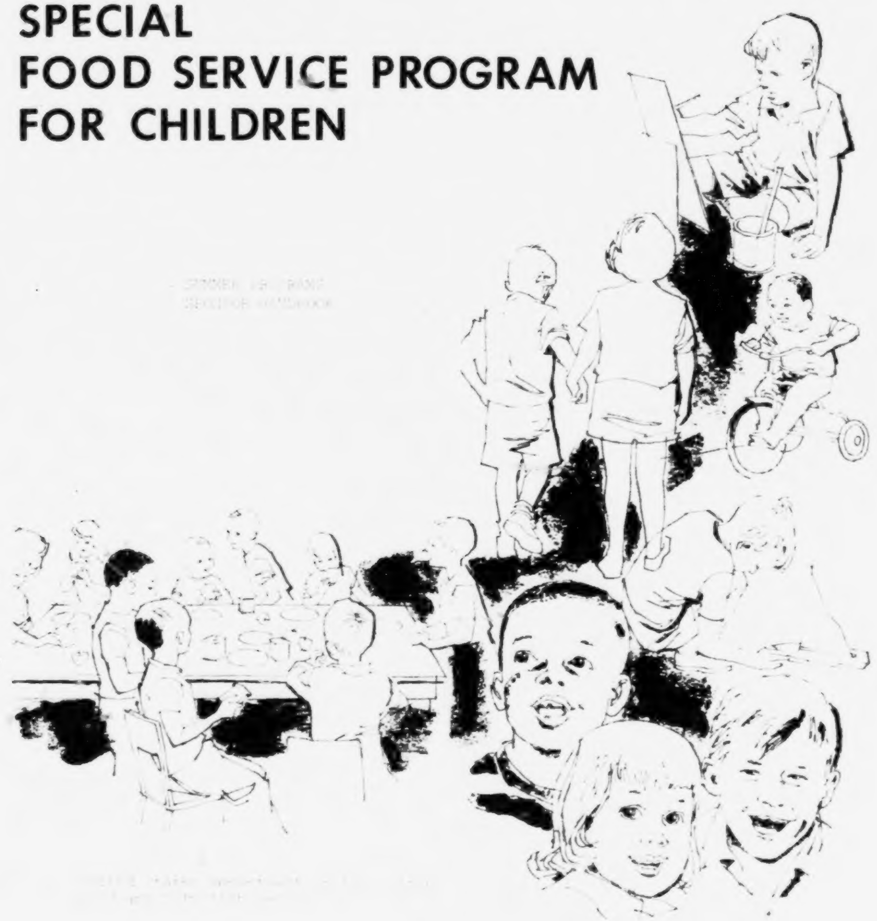
We will provide you with figures on the funds requested by summer program applicants as soon as the data are tabulated. We are asking all States and Regional Offices to report to us by the last week of April on all applications received by April 17, the date set for priority considerations of applications.

Sincerely,

RICHARD LYNG, *Assistant Secretary.*

Enclosures.

SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN



CHANGES IN SPONSOR'S HANDBOOK

FOR SPECIAL SUMMER PROGRAMS

The Sponsor's Handbook for Special Summer Programs was issued on the basis of proposed changes in the regulations governing the Special Food Service Program for Children. These changes have now been issued in final form and make necessary the following changes in the Sponsor's Handbook:

Page 3 - The date for submission of applications for participation in the Special Food Service Program for Children will be April 17 for calendar year 1972 and April 1 in subsequent years.

Page 13 - The section headed "IN-KIND CONTRIBUTIONS" should be reworded to read:

RECORDS OF CONTRIBUTIONS, Include:

If a sponsor has been approved for assistance of up to 80 percent of the operating cost of the food service program, records must be kept of:

1. Cash contributions to the program.

2. The value of labor contributed by cooperating agencies, and also the value of volunteer labor contributed to the food service program (if the value of such labor is to be counted as part of the sponsor's contribution to program operating costs). These should be recorded separately similar to the following format:

PAID PERSONNEL (Contributed to Food Program)

JOB TITLE	NUMBER OF PERSONS	HOURLY RATE	TOTAL HOURS	TOTAL VALUE

VOLUNTEER PERSONNEL (Contributed to Food Program)

JOB TITLE	NUMBER OF PERSONS	EQUIVALENT HOURLY RATE	TOTAL HOURS	TOTAL VALUE

3. Record dollar value of other approved in-kind contributions to the food service if these contributions are to be counted as part of the sponsor's contribution to program operating costs. These contributions must be itemized. (In-kind contributions, of course, will not be reflected in the food program's cash balances.)

SPONSOR'S HANDBOOK

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I. Introduction:

This handbook is intended to give guidance to sponsors of summer programs wishing to participate in the Special Food Service Program for Children. With the passage in 1968 of Public Law 90-302, an amendment to the National School Lunch Act, Congress authorized the Special Food Service Program for Children. This program makes cash and food commodity assistance available for the feeding of children in service institutions. Reimbursement rates are assigned by the State Agency or Regional Office, and in especially needy situations up to 80 percent of operating costs may be paid. The term "service institutions" means public or nonprofit private institutions such as child day-care centers, settlement houses, or recreation centers, which provide day care, or other child care where children are not maintained in residence, and includes special summer programs. Service institutions may not participate in both the Special Milk Program and the Special Food Service Program for Children.

Summer programs serving children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers are eligible to participate in the Special Food Service Program for Children. Meal service is similar to that available to children under the National School Lunch or School Breakfast Program during the school year.

This child feeding program must be incorporated into an organized and supervised youth activity. Programs such as recreation, cultural enrichment, etc., are activities which are appropriately supplemented by the nutritional benefits of this program. As a minimum, the meal service must be organized and supervised.

The program is aimed primarily at reaching economically needy children. In considering initiating a program and in choosing program sites, this intent is to be given first priority. Children who can afford to pay are expected to do so, therefore sites which are to serve non-needy as well as needy children are to develop a method of collecting payments for meals from non-needy children which will protect the anonymity of the free meal recipients.

Since many proposed sites may not have facilities for preparing meals, the sponsor may arrange for off-site preparation and the delivery of meals to program sites. Such arrangements may be made with local school systems, or with other outside purveyors of food.

Management of a program of this nature constitutes some unusual problems. Therefore groups considering sponsoring programs should evaluate their ability to provide adequate program management. This includes training, supervision, and recordkeeping. Sponsoring agencies could be such organizations as city government agencies, local school systems, recreation departments, civic organizations, community action organizations, social service or church organizations.

II. Steps to Take in Developing a Program

1. Evaluate the need in the community for a summer feeding program and determine where feeding sites might be appropriate. The assistance of the State Agency or Regional Office is available to help sponsors in evaluating local needs.

2. Alert local people to availability of program.

    a) Contact interested groups (CAP, civic groups, community action groups, local school systems, social service groups, church groups, Model Cities agencies)

    b) Prepare and distribute news releases to community newspaper, etc.

3. Obtain and review information sheets for all possible sites (see pages 5-6 for what constitutes an eligible site, and page 4 for program assistance available).

4. For sites with no food preparation facilities, locate possible sources of meals to meet needs indicated by information sheets. Contact such possible sources as local school system, food suppliers, etc.

5. Enlist the assistance and cooperation of other agencies at an early date to ensure good interagency planning. Specify the responsibilities of each.

    a) Health Department - responsibility for general sanitation of preparation and serving sites and the issuance of health permits to food handlers.

    b) Sanitation Department - responsibility for trash removal on a timely and regular basis.

    c) Recreation Department - help to plan site activities.

    d) Other interested groups - groups such as CAP agencies, Model Cities agencies, community action groups, etc., may be good sources of volunteer personnel, program aides, assistance in planning site activities. Citizens' organizations such as Kiwanis, Rotary, Lions, etc., may be able to donate money, sports equipment, etc.

6. By April 1 prepare and submit to the State Agency or Regional Office an application, using the information from the site information sheets. All site information sheets must be attached to the sponsor's application.

III. Assistance Available Under the Special Food Service Program

The maximum rates available for meals served to children under the Special Food Service Program are:

Lunch or Supper	30 cents
Breakfast	15 cents
Supplements	10 cents

Where the sponsor is financially unable to meet the need for free meals to needy children, the State Agency or Regional Office may authorize financial assistance in an amount not to exceed 80 percent of the operating cost of the program and up to a maximum reimbursement rate of 60 cents per lunch, 20 cents per breakfast, and 15 cents per supplement.

The sponsor must justify his need for this additional assistance in his application and must show how he will meet his proportionate share of the cost. Federal reimbursement will be allowed up to 80 percent of total cost (food, labor, and other) not to exceed the cash expended.

Some food commodities are available as donations from the Department of Agriculture. The State Agency or Regional Office will notify the State Distribution agency of the sponsor's eligibility to receive commodities. The sponsor should plan to make use of commodities available.

IV. Approval of Food Service Sites

In order for a site to be approved, the following conditions must be met:

1. The site must have a planned program of supervised youth activity, such as recreation, cultural enrichment, story telling, arts and crafts, etc. However, where the purpose of the program is met by an organized and supervised food service only, such food service meets program requirements.
2. The site must draw attendance from areas in which poor economic conditions exist or from areas in which there is a high percentage of working mothers. In determining areas in which poor economic conditions exist use information from Model City and target areas, Department of Welfare, local school system, city zoning commission, census tract, etc.
3. If sites are considered for participation in "fringe" areas, that is, areas with some children who are able to pay for their meals, arrangements must be made by the sponsor for the collection of meal payments (may be included in registration or tuition fee) from those who have the ability to pay, according to an approved free and reduced price policy.
4. In order to be selected, a site must have adequate facilities for the service of the type of meals planned to be served at that site. Determination of the adequacy of the facilities should take into consideration the type of meal service planned (that is picnic, bag lunches, hot lunches, etc.). Consideration should be given to duration of the youth activity and the facilities available in determining which meals will be served. In some cases a supplement alone will be most appropriate.
5. If meals are to be prepared on site, facilities must be adequate for the preparation of these meals. Consideration should be given to the kind of meals planned in determining adequacy of preparation facilities.

IV. (Continued)

6. No site shall be approved where the facilities are inadequate for on-site, supervised consumption of meals by children. In cases where the facilities are not adequate to allow for all children to be served and to eat at one time on site, arrangements must be made for more than one serving time in order to allow all children to eat on-site and under supervision.

7. Consideration must be given to the type and daily schedule of the activity at each site in determining which meals will be served at that site. Separate serving times must be scheduled for each type of meal to be served. Two supplements shall not be served together, nor shall a supplement be served at the same time as the breakfast, lunch, or supper is served. Each meal must be served as a unit; that is, do not separate the components of a meal and serve part at another time.

8. There must be adequate staff for each site to assist with the meal service. In determining adequacy of staffing, consideration should be given to the age of the children, the type of meal service planned, the facilities available, etc.

9. Staff members handling food preparation and/or meal service must follow health and sanitation practices and have food handlers' permits where required by local law.

10. In selecting outdoor sites, the sponsor should ensure that there is a nearby sheltered area which can be used for food service on an alternate or standby basis. If a site has no sheltered area in which food can be served on days of inclement weather, church halls and community halls may be willing to provide this occasional service.

V. Supervisory Responsibilities of Sponsor

1. The sponsor must be fully aware that he has total responsibility for the operation of the food service program in accordance with program requirements. including the operations at each site covered by his application. Sponsor should be aware that this covers all financial responsibilities as well as program operations.

   In order to meet this responsibility, programs operating at ten or more sites must have the following staff:

   a) One person who has been designated total administrative responsibility for the duration of the food service program.

   b) An adequate bookkeeping staff.

   c) Personnel assigned as "coordinators" to receive telephone questions, complaints, changes in meal orders from sites to which meals are delivered, etc. At all times at least one such coordinator will be available at a phone number known to all site supervisors.

   Programs with fewer than ten sites must have sufficient staff to adequately supervise and administer the program.

2. The sponsor has the responsibility to adequately train on-site personnel in food service program purposes and regulations. Prior to the opening of the food service program, the sponsor should hold training sessions for all site supervisors. Subject matters outlined in addendum 3 should be covered in such sessions.

3. Sponsor must make on-site supervisory visits to each site at least once during the program operation. To the extent possible these visits should be made during the first two weeks of program operations. Follow-up visits must be made consistent with problems identified during the initial visits. Records should be maintained of these supervisory visits.

4. If meals are prepared off site under contractual agreement, the sponsor should develop acceptable procedures for the handling of prepared meals on days when inclement weather or other circumstances cause serving sites to close. This could include refrigeration overnight or the use of alternate facilities for activities on such days. In addition, close supervision should be given to the problem of sites consistently receiving too many meals. Meals not served to eligible children are not reimbursable, and orders should be adjusted as necessary. Sponsors should be constantly alert to fluctuations in attendance and make adjustments in meal orders accordingly.

5. In cases where contracts are negotiated with a food management company, the sponsor must ensure that all terms of the contract are met. The sponsor must develop a check system to determine that meals delivered meet specifications and that the food is not spoiled. Daily site reports included in Addendum 4 may be used for this purpose.

6. If meals are prepared on-site the sponsor is responsible for seeing that meal requirements are met and that all applicable health and sanitation practices are followed in the preparation and serving of meals. Sponsors should give special emphasis to problems of health, sanitation, and possible food spoilage at sites with on-site food preparation.

7. The sponsor must develop a system (such as stamped, addressed envelopes) for site supervisors to submit daily site reports at least once a week.

8. The sponsor must develop and submit to the State Agency or Regional Office for approval a free and reduced price meal policy. This policy should be attached to the application.

8a. If all children have been certified as eligible to receive free meals, this policy can be a simple statement to the effect that all children are served the same meals and that there is no physical segregation of, or other discrimination against any child in the course of the meal service.

8b. If any sites serve non-needy children, the policy must include the method of enrollment and specific criteria for determining which children are eligible for free or reduced price meals, and the method of collecting payments which will protect the anonymity of those receiving free or reduced price meals. The sponsor should contact the local school systems for copies of their policies to use as guidance. Regional Office and State Agency will provide specific direction upon request.

9. The sponsor must keep adequate records to substantiate claims submitted for Federal reimbursement.

VI. Contracts with Food Management Companies

1. In instances where sponsors are requesting a program that would reach 500 or more children daily, and would be entering into a contractual arrangement with a food service management company (for the preparation and delivery of meals), they must invite competitive bids by public announcement following the procedures set up by the city, State or local authorities. However, prior to any such competitive bid procedure, just consideration may be given to negotiating for the conduct of its feeding operation with local public, tax-supported institutions such as schools. In no way, however, does any such consideration preclude any such public, tax-supported institution from participating in the bid procedure as required by this paragraph if they choose to do so.
2. Sponsor should ensure that contractual arrangements with the food service management company will fulfill the needs of the program. In addition, the sponsor shall visit the company's preparation facilities so that he will have knowledge of the company's capabilities in order to ascertain that needs can be met.
3. In areas where a program would exceed 5,000 children daily, the sponsor, with the assistance of State Agency or FNS Regional Office personnel, shall ensure that the company has the capabilities to meet terms of the contract (with particular emphasis on production capacities) prior to the finalization of the contract.
4. Where programs would exceed 25,000 children daily, the sponsor shall consider the awarding of more than one contract or allowing the contractor to subcontract in order to ensure that the needs of the program will be met.

VI. Continued

5. Food service management companies that submit bids shall be made fully aware that the contract is subject to review by the applicable State Agency or FNS Regional Office before the contract is finalized. This shall be stipulated in the sponsor's invitation to bid.

VII. Records

Under the terms of the agreement, the sponsor is obligated to keep full and accurate records of the food service program to serve as a basis for the claim for Federal reimbursement and for audit and review purposes. In order to fulfill this obligation, a recordkeeping system must be maintained to reflect program participation and all items of receipts and expenditures for the food service program, by month, as follows:

PROGRAM PARTICIPATION, Include:

1. An accurate daily count of all meals (by type) served to children.
2. An accurate daily count of all meals (by type) served free to needy children.
3. An accurate daily count of all meals (by type) served at a reduced price to needy children.
4. An accurate daily count of all meals served to adults. (These meals are not Federally reimbursable and Federal reimbursement must not be claimed for such meals.)
5. Average daily attendance by eligible children.
6. Number of days during the month that meals were served.

PROGRAM RECEIPTS, Include:

1. Any Federal reimbursement actually received during the month for prior claims submitted.
2. All receipts for sale of food to children.
3. All receipts for sale of food to adults.
4. All cash receipts from other sources, such as donations, etc.

PROGRAM EXPENDITURES, Include:

1. FOOD - Payments for all food purchased. This includes food which is prepared off site and delivered to program sites by food service companies. Also, include payments made in connection with the handling, transporting,

storage, and use of USDA-donated food used in on-site preparation.

2. LABOR - All salaries paid to sponsor's food service workers. Also include payments for payroll deductions from employees' checks, such as withholding tax, social security, etc.

3. OTHER - Payments for utilities and supplies, such as paper napkins, straws, detergents, mops, brooms, etc.

IN-KIND CONTRIBUTIONS, Include:

1. If sponsor has been approved for assistance up to 80% of the operating costs of the food service program, record the value of labor contributed by cooperating agencies, and also the value of volunteer labor contributed to the food service program. These should be recorded separately similar to the following format:

PAID PERSONNEL (Contributed to Food Program)

JOB TITLE	NUMBER OF PERSONS	HOURLY RATE	TOTAL HOURS	TOTAL VALUE

VOLUNTEER PERSONNEL (Contributed to Food Program)

JOB TITLE	NUMBER OF PERSONS	EQUIVALENT HOURLY RATE	TOTAL HOURS	TOTAL VALUE

2. Record dollar value of other approved in-kind contributions to the food service program. These contributions must be itemized. (In-kind contributions, of course, will not be reflected in the food program's cash balances.)

RECORD RETENTION REQUIREMENTS:

Itemized invoices, receipts, or other evidence of purchase, supporting all expenditures (including payrolls) must be retained on file, as should completed copies of claims submitted for Federal reimbursement. In-kind contributions must also be supported with bona fide documentation. (We suggest placing such records in a separate file for each month.) A complete file should be kept of menus served at each meal.

These records must be retained for a period of three years and three months after the end of the fiscal year to which they pertain.

Sponsor must also have on file at all times an approved copy of the Special Food Service Program agreement, and a certificate of exemption from income tax under the Internal Revenue Code, as amended, certifying the nonprofit status of the sponsor.

SITE RESPONSIBILITIES:

To assist the sponsor in fulfilling the program's recordkeeping requirements, each site must keep daily records as follows:

1. Number of meals (by type) prepared or received at site.
2. Invoices for food purchased or meals delivered.
3. Number of meals (by type) served to eligible children, free, at a reduced price, and at full price.
4. Number of nonreimbursable meals (by type) served to adult staff members.
5. Number of paid site personnel by name and job title, and hours worked on food service.

The site supervisor must submit the daily site records to the sponsor at regular intervals as required by the sponsor.

Addendum 4 is a sample daily site report which you may reproduce or adapt for use by your site supervisors.

ADDENDUM 1

Meal Patterns

Breakfast:

1 cup of milk

½ cup of fruit or full strength fruit or vegetable juice

1 slice of bread or equivalent OR ¾ cup of cereal OR equivalent quantity of bread and cereal

Lunch or Supper:

1 cup of milk

2 ounces (edible portion as served) of meat or a meat alternate (poultry, fish, 1 egg, ½ cup cooked dry beans or peas, 4 tablespoons of peanut butter)

¾ cup of two or more fruits and/or vegetables

1 slice of bread or equivalent

1 teaspoon of butter or fortified margarine

Supplement:

1 cup of milk or full strength fruit or vegetable juice OR equivalent serving of fruit or vegetable

1 slice of bread or equivalent

ADDENDUM 2

Contractual Arrangements for the Preparation and/or Delivery of Meals

The contract between the sponsor and the company is subject to review by either the State Agency or the applicable FNS Regional Office. Review should consider the content pertaining to the operation of a workable, fair and realistic Special Food Service Program for Children, not the legalistic language used. The sponsor should insure that local and State codes and regulations are adhered to. Only reputable and bondable and fully insured companies will be considered by a sponsor.

The following provisions should be included in all contractual arrangements for meals or meal components:

1) That USDA nutritional requirements be met for all meals deliver (food components and quantities) as specified by Department regulations;

2) That menus meeting such requirements be an integral part of the contract. Deviation from the scheduled menu cycles shall be permitted only upon prior authorization by sponsor. Such menus must offer ample variety to avoid monotony;

3) That each week the company, at its own expense, must arrange for random sampling of meals by a recognized laboratory for analysis of portions, bacteria, coliform and plate counts;

4) That all applicable health regulations will be adhered to at the preparation site. Local, State, and Federal program authorities must have the right to inspect the premises and request formal inspection by health officials, if deemed necessary. Failure to comply with applicable health requirements shall result in the termination of the contract in accordance with cancellation and penalty clauses of the contract;

5) That food handlers' permits shall be required in accordance with applicable requirements. In areas where this is not required, the company shall require a health examination of all food handlers and shall keep on file the results of such examination. It is the company's responsibility to insure that its employees observe sanitary food handling practices;

6) That the company shall provide satisfactory holding facilities, i.e., heavy corrugated cartons, dry ice, styroform container, etc. Packaging material shall be of strength sufficient to prevent crushing of food;

7) That if delivery is included in the contract the company shall be responsible for the delivery of food to sites on a schedule to be made a part of the contract. Not more than one hour's deviation from a scheduled delivery time shall be allowed. The company shall be responsible for the delivery of dairy products and such products must be available at the time of the meal service. Adequate refrigeration shall be provided during delivery of all food to insure the wholesomeness and goodness of the product;

8) That an increase or decrease factor be included. Orders should be placed on a daily or weekly basis with the company, with the provision that increases or decreases may be made by the sponsor on a mutually agreed upon length of notice. A minimum and a maximum provision for the number of meals, to insure that the company has the capability to meet any increased needs of the program should be included;

9) That where the company will utilize USDA-donated food as a part of its service, this donated food shall be accounted for separate and apart from the regularly purchased food;

10) That delivery invoices are to be prepared in triplicate, one for the company, one for the site, and one for the sponsor. Invoices shall be accepted by the sponsor only if signed by the sponsor's designee. The company shall furnish itemized statements at intervals mutually agree upon;

11) That the sponsor not be held liable for payment for meals which fail to meet USDA nutritional requirements, meals of poor quality, unwholesome or spoiled meals or portions thereof, or damaged meals;

12) That in instances where the company has been notified of non-compliance to the terms of the contract and has not taken corrective action, the sponsor shall have the right, upon written notice, of immediate cancellation of the contract and the company shall be liable;

13) That financial arrangements be fully covered in the contract and the sponsor shall make certain that he is able to comply with his commitment;

14) That quality standards shall adhere to State or local specifications, and all meat, poultry, and meat by-products shall come from plants inspected under a Federally - approved inspection plan;

15) That fresh fruit shall be washed prior to consumption;

16) That USDA-donated foods will be utilized as practicable in the specific program, and in accordance with availablity from the State Agency, the company shall credit the sponsor with the value of all Federally donated food utilized, based upon a mutually agreed upon system. This credit shall be deducted from itemized statements periodically rendered to the sponsor;

17) That company shall be responsible for the regular removal of refuse and trash from the site of meal preparation.

18) That all transporting and other food service equipment shall be cleaned and sanitized on a daily basis or more often as required;

19) **That** meals shall be prepared under properly controlled temperatures and not assembled more than 24 hours prior to delivery. Assembly should include necessary eating utensils, napkins, condiments, etc. Assembled meals shall be held in properly refrigerated areas that meet sanitation standards. Samples of finished meal packages, in accordance with menus provided shall be approved by the sponsor, and there shall be no deviation on the part of the successful bidder from the packaging presented and approved;

20) That each individual meal or supplement (excluding beverage and fresh fruit) shall be sanitarily packaged. Individual meals must be packaged separately to insure distribution to program participants at scheduled time intervals;

21) That in cases of lateness or non-delivery, payment to the company shall be denied and the sponsor shall have the right to obtain meals from other sources with the company responsible for any cost variation.

ADDENDUM 3

Sponsors' Guidelines for Training of Site Personnel

Outlined here is a broad description of the duties and responsibilities of site personnel involved in food service. Realizing that situations differ from community to community, we hope that this outline will assist sponsors in training their local site personnel so that both the sponsor and their site personnel may effectively carry out their respective duties and fulfill their obligations.

To be effective any training program should be prefaced with a general description and history of the program. This should include among other things, the purpose of the program, and the Federal, State and local contributions, obligations, and responsibilities.

I. FOOD SERVICE RESPONSIBILITIES OF SITE PERSONNEL

a) counting of meals and milk when delivered

b) signing for meals and milk and retaining receipts

c) if meals are prepared on site, retaining receipts and invoices for food purchased

d) distribution of meals and milk at proper times

e) notifying designated officials of changes in food service requirements e.g., time of delivery, number of meals required

f) recordkeeping

II. ELIGIBILITY

a) persons under twenty-one years of age engaged in an organized and supervised activity, and living in low-income areas or areas with many working mothers

b) summer counselors under twenty-one years of age

III. MEAL REQUIREMENTS

Breakfast

1 cup fluid whole milk
½ cup full strength juice or fruit
1 slice bread or equivalent

Supplements

1 cup fluid whole milk, full strength juice, fruit, or vegetable
1 slice bread or equivalent

Lunch/Supper

1 cup fluid whole milk
2 oz. meat or equivalent (peanut butter, cheese, fish)
½ cup of two kinds of fruit/vegetables
1 slice bread or equivalent
1 teaspoon butter or fortified margarine

When meals and milk are delivered, site personnel should check the following:

Count the number of meals by type, and count the milk
Make sure meals are same as signing for--check against day's menus
Retain a signed copy of receipts
Do meals/supplements meet the above requirements?
Does sandwich contain enough meat, cheese, etc.?
Are fruit/vegetables in good condition?
Is milk cold?
Is ice delivered with meals/supplements? with milk?
Are all items included?
If paper goods (napkins, straws, etc.) are provided, are they included?
Are meals/supplements properly wrapped and packaged?
e.g., individual parts, except fruit, wrapped, packaged as a unit.

When meals are prepared on site:

Retain copies of all invoices and receipts for food purchased

Observe good food handling habits

- a) wear hair net
- b) wash hands
- c) wear plastic gloves

Keep food preparation area and utensils clean and sanitary

Obtain food handlers' permits if required by local law

When meals/supplements are distributed:

Meals should be served at an appropriate time and sufficient time should elaspe between meal service if more than one meal is provided.

Meals must be served as a unit without separation of parts

Meals must be consumed by the children while under supervision at the activity site.

IV. SANITATION/HEALTH

Is premise where children eat clean?

Encourage site personnel and children to wash hands before meals.

Are plastic bags or trash barrels provided for trash removal?

Is trash removed on a regular schedule? If not, person and number to call.

Encourage children to clean up trash after meals.

V. CHANGES IN MEAL SCHEDULE AND REQUIREMENTS

Name and telephone number of person to be contacted to change number of meals required. When to call and what time to call.

Provisions for early pick-up or delivery on days of field trips etc.

Name and telephone number of person to be contacted if meals or delivery are not satisfactory.

Provision for distribution of meals on days of inclement weather.

VI. RECORDKEEPING

Explain recordkeeping requirements - See page 12 of handbook

When and to whom to submit records

ADDENDUM 4

DAILY MEAL SERVICE AND SITE PERSONNEL TIME REPORT

Date ______________________

Site Name ________________________________

Site Location ____

Number of Meals by Type

	Breakfast	AM Supplement	Lunch	PM Supplement	Supper
Time Served					
Total number of meals prepared at site (attach receipts or invoices for all food purchases)					
Total number of meals delivered to site (attach receipts or invoices)					
Total number of meals served free to eligible children					
Total number of meals served at reduced price to eligible children					
Total number of meals distributed at full price to eligible children					
Total number of meals served to adults (including staff members 21 years and over)					

DAILY TIME SPENT IN FOOD SERVICE

Include all paid employees

Name	Hourly Wage	Hours worked in food service

Include all volunteer help

Name	Hours worked in food service

Special Instructions if meals are delivered - report immediately to sponsor:

1. Any change in number of meals needed
2. If meals are unsatisfactory
3. If food delivery is too late or too early

Sponsor's Name ________________________

____
Supervisor Signature

Sponsor's Address ____

Sponsor's Telephone Number ____________________

Send daily reports to sponsor
once every week:

Personnel Involved in the Development of Sponsor and Site Handbooks for Special Summer Programs

OCTOBER 26–28 MEETINGS TO DEVELOP HANDBOOKS

Name, position, and administrative responsibility for big-city programs:

Dr. J. L. Dazzio, Louisiana Department of Education, School Food Services, State level responsibility for program in New Orleans, and Baton Rouge.

John Weber, chief, Bureau of Food Services, California, State level responsibility for programs in Long Beach and Los Angeles.

Donald Rea, assistant director, Child Nutrition Programs, Western region, R.O. responsibility for programs in Portland and Seattle.

Gerald Kroesen, field operations, Midwest region, R.O. responsibility for program in Kansas City, St. Louis, Cincinnati, Cleveland, Columbus, Milwaukee, and Toledo.

Thomas O'Shaughnessy, director, child nutrition program, Northwest region.

DECEMBER 1–3 MEETING TO REVIEW AND REFINE HANDBOOKS

Name, position, and administrative responsibility for big-city programs:

Stephen Boyd, Youth Division, Seattle, Wash., Local responsibility for Seattle program.

Jacqueline Johnson, National Advisory Council on Child Nutrition, New York, N.Y.

Nathaniel Washington, Deputy Commissioner of Recreation, Philadelphia, Pa., Local responsibility for Philadelphia program.

Bertha Collins, Mayor's Council on Youth Opportunity, Fort Worth, Tex., local responsibility for Fort Worth program.

Vickie Wolfson, Recreation Department, Portsmouth, Va., local responsibility for Portsmouth program.

Lavern Carpenter, director, school lunch program, Iowa, State level responsibility for program in Des Moines.

Roy Alverson, Coordinator, Food Service and local accounting, Alabama, State level responsibility for programs in Birmingham and Mobile.

Haynes Pressly, regional administered program Southeast region, R.O. responsibility for program in Atlanta, Memphis, Norfolk, Columbus, Knoxville, Macon, Newport News, Portsmouth, Richmond, Savannah.

Robert Nelson, director, CNP, Midwest region, R.O. responsibility for programs in: Kansas City, Cleveland, Milwaukee, Columbus, Toledo.

Gene Good, director, CNP, Southwest region, R.O. responsibility for programs in: Dallas, El Paso, Ft. Worth, Houston, San Antonio.

Sydel Lemerman, Special Food Services, Western region, R.O. responsibility for programs in Portland and Seattle.

Evaluation of Summer Feeding Programs—Summer 1971

The Child Nutrition Division conducted a survey of special summer programs in the 22 States which accounted for approximately 85 percent of the summer feeding program funds. In addition, the Office of the Inspector General conducted audits in Albuquerque, Philadelphia, San Diego, Houston, Chicago, Atlanta, St. Louis, Baltimore, Portland, New York City, and Nashville.

The major problems uncovered in the survey and the audits were:

1. Lack of adequate planning and direction at all levels of administration.
2. Failure to keep adequate records, particularly of in-kind and volunteer contributions.
3. Failure to develop systems to identify needy children and to collect payments from non-needy.
4. Adult staff eating free lunches for which reimbursement was claimed.
5. Service of meals to ineligible members of community.
6. Children allowed to pick up meals and leave site with them.
7. No knowledge of what to do with extra meals.
8. Sites received too few meals.
9. No count taken of reimbursable meals served to eligible children.
10. Centers charging for more meals than actually delivered (site personnel signed invoices without counting meals).

11. Food waste.
12. No attempt to integrate meal service into other activities; in many cases meal service consisted of handing out meals to anyone who came.
13. Late or inconsistent meal delivery schedules.
14. Packages containing lunch and two supplements in a single package.
15. Meals short of components or containing insufficient quantities.

The OIG report stated that the main cause of these weaknesses was lack of planning, training, supervision, and controls to assure satisfactory program operation.

FEDERAL PERSONNEL AVAILABLE TO ASSIST NEW YORK CITY

The Special Food Service Program in the State of New York is administered by the New York State Department of Education. The Food and Nutrition Service (FNS) of the Department of Agriculture provides national program direction and assists State Agency personnel in program administration. Thus, for the summer Special Food Service Program operations in New York City last summer, FNS personnel from New York Regional Office and the Washington Office spent a total of 16 man-days visiting 31 sites, and they participated in four lengthy consultation sessions in the sponsor's office. The New York City program was one of 900 special feeding programs operated last summer in the twelve States under the Northeast Regional Office. In addition to the time spent on the New York City program, FNS personnel had to extensively work with State and local personnel on many of the other programs in operation.

OVERPAYMENTS IN MILWAUKEE, WISCONSIN

The Department's review of the Milwaukee program did not reveal such a problem on over-payments. By letter dated April 14, 1972, to Senator McGovern, the Department asked for specific information if the Committee wants the matter pursued.

MATERIAL SUBMITTED BY OTHER THAN WITNESSES

STATEMENT OF EVELINA ANTONETTY, EXECUTIVE DIRECTOR, FOR THE SENATE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS, APRIL 17, 1972

We wish to place into the record our booklet, "Buen-Apetito—The Story of the United Bronx Parents Summer Lunch Program, 1971."

We sponsored the biggest summer lunch program in the country, and fed an average of 150,000 children a day throughout New York City.

We are proud that we served over 6,000,000 nutritious lunches to poor, hungry children in all five boroughs.

We would like to agree with a number of points in Mr. Edward J. Hekman's testimony for the Food and Nutrition Service of USDA. He very correctly cites some of the inherent difficulties in a summer feeding program, with day-to-day variations in participation, unusual feeding arrangements, etc. We also agree that the late funding and lack of clear guidelines caused almost insurmountable problems for the sponsors.

We also have many disagreements with Mr. Hekman.

We state unequivocally that the highest possible percentage of food went to hungry, poor children who had no other way of obtaining a nutritious lunch during the summer months.

We know that nearly every site provided for day-care or other supervised child care.

We submit for the record:

(1) Sample letters from groups participating in the program.

(2) Letter from the Police Department of New York City.

(3) The Audit Report of findings by the Certified Public Accountant firm we hired for verification.

(4) Sample letters from United Bronx Parents to participants detailing regulations.

There were approximately 800 delivery sites in the New York City program. Some of these sites then shared with other groups in their vicinity. In this way small organizations and church groups could be serviced.

We agree that there were some irregularities. Considering the fact that we had only 6 days (from July 2nd at 5:30 PM when we were finally notified of our funding, to July 8th when we began delivering 50,000 lunches a day) it would have been impossible not to have irregularities.

We had no help in planning, no manuals, no guidelines. This year USDA has developed an excellent Sponsor's Handbook. We are sorry they did not invite United Bronx Parents to any of the sponsors' meetings which drafted these procedures and regulations. We are convinced that our input would have helped develop more specific guidelines for inner-city areas.

We would like to point out that the cities Mr. Hekman cites as having successful programs were invariably in their second year of operation, and were smaller than our program. We are convinced that based on one year's experience, and with enough advance planning time, we can eradicate the main problems that existed in our program.

USDA cites examples of lunches going to adults or other ineligible people in our program and many others. Realtistically, in areas such as Hunts Point, Harlem, East New York, etc., areas with the highest drug addiction problems, highest unemployment, highest crime rate, organized youth gangs—how could there not be "irregularities" and problems?

The fact is we were able to involve gang members to help supervise recreation areas and feed the children. Yes, we had food stolen or trucks hi-jacked sometimes. But 99% of the time we were able to convince even the addicts in our areas that this was food for the children and that they had to help us make sure the kids got the food.

These ghetto areas are a blot on the conscience of this country—are we going to add to the woes of the people trapped in these areas by saying the children cannot have food because of "irregularities"?

Let us give you an example. In any block in our overcrowded areas, there are at least 1,000 eligible children. But there is only money for recreation or other funded programs for perhaps 50 or 100 kids at the most. This means that the others are not only left out of organized summer programs, but are also excluded from the lunch program because they are not part of the activities. We are doubly punishing these children.

In many blocks, parents and neighbors began volunteer recreation programs, taking the children to the playground, or setting up a play street, just so the children could be eligible for lunch. Volunteer workers accounted for over $1.5 million dollars worth of in-kind services.

SOME OTHER EFFECTS OF THE PROGRAM

In addition to providing food, our program generated hundreds of jobs. All the production workers who made the sandwiches, and packed food and loaded trucks were hired through community groups in poverty areas. Over 300 people worked for two months on these jobs.

Sixty delivery truck drivers earned $4.00 an hour, and many gained enough experience to get jobs after the program ended.

NEED FOR ADVANCED PLANNING TIME

1. We need at least two months to plan proper control and accountability mechanisms, to guarantee better monitoring of our program this year.

2. We need lead time to make up proper bid-specifications, and to give the food companies which we hire time to make adequate arrangements.

For example, last year we were using 10 tons of meat a day. Not even the largest meat producers can deliver that quantity without months of advance notice.

3. We want to guarantee that some of the contracts for these lunches go to small businesses and minority businesses as an economic development factor for the community. We need time to help them make arrangements for loans, and to tool-up for the program.

4. We want to use commodities such as flour, margarine and cheese. It takes months to make arrangements for delivery of such items in large quantities.

5. We want to make sure we can service religious and ethnic groups with special dietary laws, such as Orthodox Jews and Black Muslims.

We ran a wonderful program last summer. We learned a great deal. We are convinced we can run a larger and better program this summer if we have advance planning time.

The need in New York City is great. There are at least one million children eligible for the program. We have applied to feed 325,000 children a day for 45 days. We expect additional applications from groups which get their federal funding for the summer in June.

We ask this Committee to help us and all other groups like us to make sure we have adequate funds to feed hungry children this summer.

FOR THE FIRST TIME
A COMMUNITY ORGANIZATION
SPONSORED THE SUMMER LUNCH PROGRAM

IN THE BIGGEST CITY
WITH THE BIGGEST PROBLEMS

IT WAS THE BIGGEST PROGRAM

OVER 6,000,000 LUNCHES SERVED

AND IT WAS GREAT!

IT WAS IMPOSSIBLE -- IT COULDN'T BE DONE

BUT WE DID IT

AND 6 MILLION TIMES THIS SUMMER
KIDS ATE LUNCH AND DIDN'T GO HUNGRY

THIS BOOKLET DESCRIBES THE UNITED BRONX PARENTS SUMMER LUNCH PROGRAM
HOW IT HAPPENED -- HOW IT WORKED -- THE PEOPLE WHO MADE IT WORK

HOW UNITED BRONX PARENTS BECAME SPONSORS OF THE SUMMER LUNCH PROGRAM

For many years, United Bronx Parents has been fighting to improve the lunches in our public schools.

In the Spring of 1971, the New York State Department of Education asked us if we would be interested in sponsoring the Summer Lunch Program for 25,000 children.

We jumped at the chance, because we knew that the children who receive free lunch during the school year have no way of getting food during the summer months. With the tremendous unemployment rate, and the welfare cutbacks in our area, we desperately needed a program to give our children free lunch.

The Summer Lunch Program had never been done in New York City before. Sponsorship was a tremendous responsibility, made more difficult because there were very few clear guidelines, and enormous problems involved in producing and delivering thousands of sandwiches, milk, fruit and juice every day. Where do you get the food? Where do you prepare it? How do you deliver it?

We had many questions -- and very few answers.

BUT WE DID HAVE TWO THINGS -- DETERMINATION AND HUNGRY KIDS.

WE DECIDED THAT WHATEVER THE OBSTACLES, WE WOULD RUN THE SUMMER LUNCH PROGRAM.

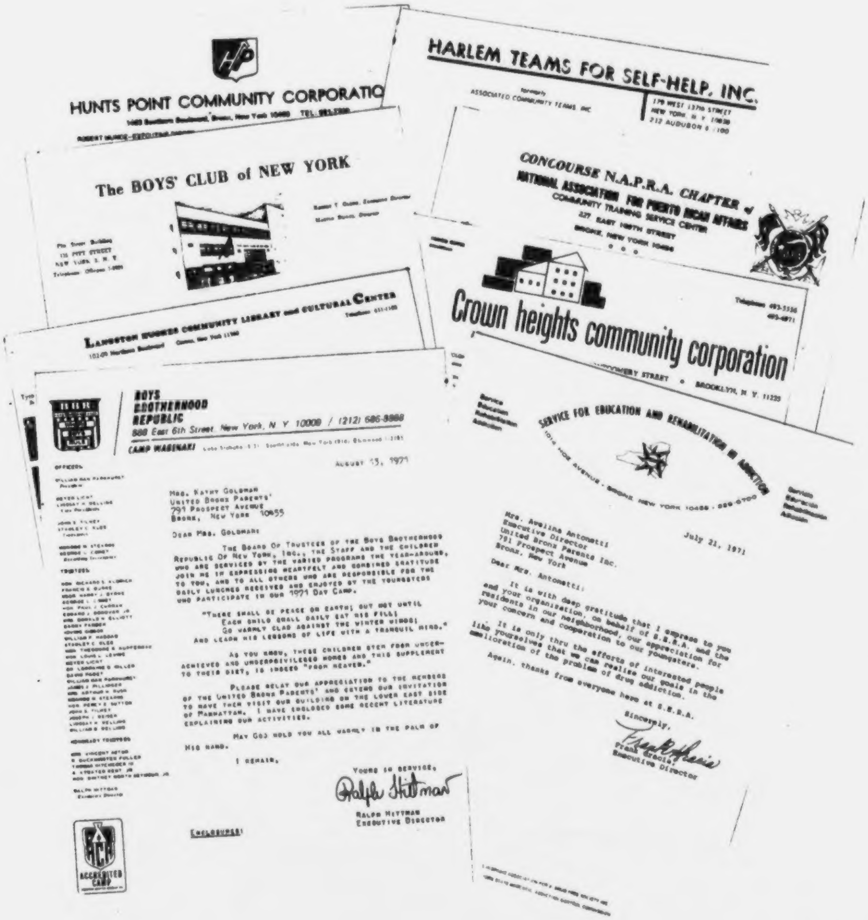
DON'T LET THE NAME UNITED BRONX PARENTS FOOL YOU

OUR SUMMER LUNCH PROGRAM SERVED ALL OF NEW YORK CITY

CHILDREN IN ALL FIVE BOROUGHS RECEIVED LUNCH

BRONX
MANHATTAN
BROOKLYN
QUEENS
STATEN ISLAND

WE RECEIVED HUNDREDS OF LETTERS OF CONGRATULATIONS AND THANKS FROM ALL OVER NEW YORK CITY DESCRIBING HOW HAPPY THE CHILDREN WERE WITH THE LUNCHES.



HUNTS POINT COMMUNITY CORPORATIO

HARLEM TEAMS FOR SELF-HELP, INC.

ASSOCIATED COMMUNITY TEAMS INC

The BOYS' CLUB of NEW YORK

CONCOURSE N.A.P.R.A. CHAPTER of NATIONAL ASSOCIATION FOR PUERTO RICAN AFFAIRS

COMMUNITY TRAINING SERVICE CENTER

BRONX, NEW YORK

Crown heights community corporation

BROOKLYN, N. Y.

LANGSTON HUGHES COMMUNITY LIBRARY and CULTURAL CENTER

BOYS BROTHERHOOD REPUBLIC

888 East 6th Street, New York, N. Y. 10009 / (212) 686-8888

CAMP WABINAKI

AUGUST 13, 1971

MRS. KATHY GOLDMAN
UNITED BRONX PARENTS'
791 PROSPECT AVENUE
BRONX, NEW YORK 10455

DEAR MRS. GOLDMAN:

THE BOARD OF TRUSTEES OF THE BOYS BROTHERHOOD REPUBLIC OF NEW YORK, INC., THE STAFF AND THE CHILDREN WHO ARE SERVICED BY THE VARIED PROGRAMS THE YEAR-AROUND, JOIN ME IN EXPRESSING HEARTFELT AND COMBINED GRATITUDE TO YOU, AND TO ALL OTHERS WHO ARE RESPONSIBLE FOR THE DAILY LUNCHES RECEIVED AND ENJOYED BY THE YOUNGSTERS WHO PARTICIPATE IN OUR 1971 DAY CAMP.

"THERE SHALL BE PEACE ON EARTH; BUT NOT UNTIL
EACH CHILD SHALL DAILY EAT HIS FILL;
GO WARMLY CLAD AGAINST THE WINTER WINDS;
AND LEARN HIS LESSONS OF LIFE WITH A TRANQUIL MIND."

AS YOU KNOW, THESE CHILDREN STEM FROM UNDER-ACHIEVED AND UNDERPRIVILEGED HOMES AND THIS SUPPLEMENT TO THEIR DIET, IS INDEED "FROM HEAVEN."

PLEASE RELAY OUR APPRECIATION TO THE MEMBERS OF THE UNITED BRONX PARENTS' AND EXTEND OUR INVITATION TO HAVE THEM VISIT OUR BUILDING ON THE LOWER EAST SIDE OF MANHATTAN. I HAVE ENCLOSED SOME RECENT LITERATURE EXPLAINING OUR ACTIVITIES.

MAY GOD HOLD YOU ALL WARMLY IN THE PALM OF HIS HAND.

I REMAIN,

YOURS IN SERVICE,

Ralph Hittman

RALPH HITTMAN
EXECUTIVE DIRECTOR

ENCLOSURES:

ACCREDITED CAMP

SERVICE FOR EDUCATION AND REHABILITATION IN ADDICTION

AVENUE · BRONX, NEW YORK 10456

Service
Education
Rehabilitation
Addiction

July 21, 1971

Mrs. Avelina Antonetti
Executive Director
United Bronx Parents Inc.
791 Prospect Avenue
Bronx, New York

Dear Mrs. Antonetti:

It is with deep gratitude that I express to you and your organization, on behalf of S.E.R.A. and the residents in our neighborhood, our appreciation for your concern and cooperation to our youngsters.

It is only thru the efforts of interested people like yourselves that we can realize our goals in the amelioration of the problem of drug addiction.

Again, thanks from everyone here at S.E.R.A.

Sincerely,

Frank Gracia

Frank Gracia
Executive Director

HOW WE GOT THE KIDS

In June we began to prepare for the program - despite the uncertainties.

We contacted community organizations, church groups, poverty agencies, Neighborhood Youth Corps, "Y"s, recreation centers, Boys Clubs, etc., throughout the city.

Everyone was interested in a program to feed children. But they also had lots of questions: When will it start? How many children can we feed? What kind of food? Do we have to pick it up, or is it delivered? We only have a storefront -- or we meet in a playground -- is that OK? etc., etc.

Most of the questions couldn't be answered until we got word from the State Education Department, and they couldn't answer us until they got the word, and the money, from the United States Department of Agriculture in Washington.

GOOD NEWS

We were finally told that Congress had appropriated lots of money for the program, and we could count on 100,000 lunches a day for the 44 days in July and August.

(We wondered whether we had bitten off more lunch program than we could chew -- but United Bronx Parents is noted for doing the impossible, and doing it well.)

We spread the word through mailing, meetings, visits to organizations, phone calls. We were swamped with responses from groups all over New York City asking to participate in the free Summer Lunch Program.

By the third week in June, we had signed up 70,000 children, in hundreds of groups and organizations.

AND THEN.....

BAD NEWS

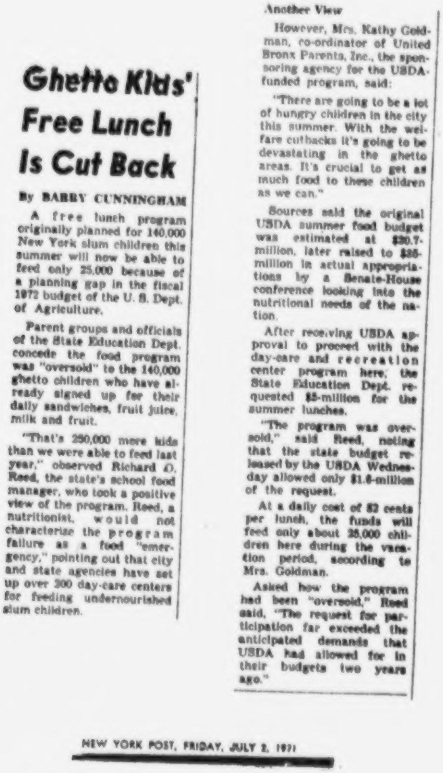
Then, on June 29th, the axe fell. We were informed that, despite the huge Congressional appropriation, the United States Department of Agriculture was limiting the amount of money it would spend.

We were cut back to 25,000 lunches a day.

We called a city-wide emergency meeting of all the groups already involved in the program. Together we decided we had to get the food for the kids. Together we decided we would each cut our programs to the bone, and bring down the total to 50,000 lunches a day. We would run the program at 50,000 for 22 days (instead of 25,000 lunches for 44 days) and in the meantime call all our Senators and Congressmen to get more money released to feed our kids.

We were all upset and angry, because we knew so many children would go hungry. Telegrams and phone calls flew to and from Washington.

A CITY-WIDE EMERGENCY MEETING AND PRESS CONFERENCE WAS CALLED ON JULY 1st TO PROTEST THE CUTBACKS.



Ghetto Kids' Free Lunch Is Cut Back

By BARRY CUNNINGHAM

A free lunch program originally planned for 140,000 New York slum children this summer will now be able to feed only 25,000 because of a planning gap in the fiscal 1972 budget of the U. S. Dept. of Agriculture.

Parent groups and officials of the State Education Dept. concede the food program was "oversold" to the 140,000 ghetto children who have already signed up for their daily sandwiches, fruit juice, milk and fruit.

"That's 250,000 more kids than we were able to feed last year," observed Richard O. Reed, the state's school food manager, who took a positive view of the program. Reed, a nutritionist, would not characterize the program failure as a food "emergency," pointing out that city and state agencies have set up over 300 day-care centers for feeding undernourished slum children.

Another View

However, Mrs. Kathy Goldman, co-ordinator of United Bronx Parents, Inc., the sponsoring agency for the USDA-funded program, said:

"There are going to be a lot of hungry children in the city this summer. With the welfare cutbacks it's going to be devastating in the ghetto areas. It's crucial to get as much food to these children as we can."

Sources said the original USDA summer food budget was estimated at $30.7-million, later raised to $35-million in actual appropriations by a Senate-House conference looking into the nutritional needs of the nation.

After receiving USDA approval to proceed with the day-care and recreation center program here, the State Education Dept. requested $5-million for the summer lunches.

"The program was oversold," said Reed, noting that the state budget released by the USDA Wednesday allowed only $1.6-million of the request.

At a daily cost of 52 cents per lunch, the funds will feed only about 25,000 children here during the vacation period, according to Mrs. Goldman.

Asked how the program had been "oversold," Reed said, "The request for participation far exceeded the anticipated demands that USDA had allowed for in their budgets two years ago."

NEW YORK POST, FRIDAY, JULY 2, 1971

HOW THE PROGRAM WORKED

HOW DO YOU MAKE 150,000 SANDWICHES A DAY?

As we planned the Summer Lunch Program, we realized we needed the help of experts in large-scale feeding.

Richard O. Reed, of the New York State Department of Education worked with us constantly, and his knowledge and help were invaluable.

We talked to people in the food business to get ideas about how the program could be handled. ARA Food Services, Inc., which had run similar programs in Detroit and Philadelphia, was interested in the New York City program. ARA is one of the biggest food companies in the United States, and they had the know-how, resources and money we needed.

They explained what problems we would face producing thousands of sandwiches every day, the problems involved in delivering milk, juice, fresh fruit and sandwiches to sites all over the city. We began to undertand what was involved in the purchasing, production, handling, storing and delivery of such massive amounts of food day after day.

ARA was willing to invest money in a production plant, trucks, and all other aspects of the program, and we hired them to prepare and deliver the food. They agreed to hire workers from our poverty areas in the city for the jobs.

Our biggest problem was lack of time. We could have used six months to prepare properly for this program, but we only had six weeks for advance work and six days to really set it up.

For example, we used ten tons of meat a day. You can't order that from your corner butcher, or even from your neighborhood supermarket. For this kind of huge quantity, we had to deal with the biggest meat producers, and even they needed time to get enough ham, turkey roll, boloney, salami, meat loaf, etc., to meet our needs.

We faced constant problems and crises and deadlines because we had so little preparation time. But everyone pitched in, worked day and night, and we overcame the obstacles.

LETTERS PERTAINING TO SUMMER LUNCH PROGRAM

(New York and other cities)

CITY OF NEW YORK POLICE DEPARTMENT,
New York, N.Y., April 18, 1972.

MRS. EVELINA ANTONETTY,
United Bronx Parents,
Bronx, N.Y.

DEAR MRS. ANTONETTY: I would like to congratulate you and the United Bronx Parents for the wonderful job you are doing in feeding the children of the poor communities in every borough of New York City. In addition to servicing poverty programs, churches, day camps, day care centers, I am especially thankful to you for including the various Police Athletic League organizations in the city (especially in the 40th and 41st Precincts in the Bronx).

This year it is imperative that this program be funded and expanded to meet the ever increasing needs of the poor communities. With an ever increasing number of gangs and the always decreasing number of jobs available for youths, I feel that this program will have a great importance in New York City.

I would like to wish you every success in continuing and expanding the summer lunch program for this year. If there is any way I can be of assistance to you, do not hesitate to call.

LUIS M. NECO,
Deputy Commissioner, Legal Matters.

SNYDER & LEVINE,
CERTIFIED PUBLIC ACCOUNTANTS,
New York, N.Y., April 17, 1972.

UNITED BRONX PARENTS, INC.,
Bronx, N.Y.:

In accordance with your request, we have audited the books and records of the United Bronx Parents, Inc., as they relate to the 1971 Summer Lunch Program. Our examination was made in accordance with generally accepted auditing standards and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

In order for our firm to certify as to the accuracy of the invoice being submitted by United Bronx Parents, Inc., we deemed it necessary to conduct an Independent survey of the agencies who had distributed the lunches throughout the City of New York. Accordingly, we circulated all distributing agencies and analyzed their responses. It is to be noted that verifications received from the agencies within the time allotted for responses were extremely favorable. Responses indicating discrepancies amounted to .0048. A factor was, therefore, calculated for non-responses which amounted to .0046. This would indicate a total discrepancy factor of approximately 1% of all lunches distributed.

In our opinion, the results of the Summer Lunch Program for 1971 were fairly presented in the invoice submitted by United Bronx Parents, Inc., to the State Education Department of New York.

SNYDER & LEVINE.

HENRY STREET DAY CARE CENTER GROUP III, THANK YOU FOR THE FREE LUNCHES!

Sharon: I liked the meat and bread.
Denise: I drinked the milk and juice.
Chanté: I liked the sandwiches.
Sid: I ate the fruit.
Orlando: The fruit was very good.
Darius: I liked all the fruit.
David: I liked the fruit best.
Cathy: Oh! the plums were good.
Aida: I liked the apples.
Clarence: Best of all I liked the fruit.
Josey: I liked the sandwiches.
Kim: I liked the peaches best.

Sincerely,

MRS. J. SIMPSON.

GODDARD-RIVERSIDE COMMUNITY CENTER,
New York, N.Y., August 27, 1971.

MRS. EVELINA ANTONETTY,
Executive Director, United Bronx Parents,
Bronx, N.Y.

DEAR MRS. ANTONETTY: On behalf of the staff and campers of Goddard-Riverside Community Center Summer Day Camp, I would like to thank you for providing lunches this summer. The campers enjoyed them and it was good to be able to offer a wholesome and balanced meal for the children.

Our congratulations on putting the lunch program together on such short notice and with such relatively few mix-ups.

We all hope you will be willing and able to provide this service next summer.

Sincerely,

JOSEPH RAMOS,
Center Director.

BRONX, N.Y., *August 24, 1971.*

MRS. EVELINA ANTONETTY,
United Bronx Parents, Inc.,
Bronx, N.Y.

DEAR MRS. ANTONETTY: I have never had the pleasure of meeting you, or you me. But I have seen your people at work on the outside distributing the lunches. You cannot imagine what these volunteers do, and how much they take. Not all the organizations involved are in a school or day care center or church. Some are in store fronts and others in front of private homes. These people are terrific in their work, and should have some sort of recognition, as if it were not solely for the volunteer without pay your program would not have been fulfilled.

Would it not be wonderful if you mentioned their names in the Daily News, and gave them thanks, and would it not be nice if you could meet each of these persons who have made this program possible to invite them out to dinner?

I salute the volunteer. May the program be twice as successful next year.

Sincerely yours,

MRS. ROBERT CONNORS.

BOYS BROTHERHOOD REPUBLIC,
New York, N.Y., August 13, 1971.

MRS. KATHY GOLDMAN,
United Bronx Parents,
Bronx, N.Y.

DEAR MRS. GOLDMAN: The Board of Trustees of the Boys Brotherhood Republic of New York, Inc., the Staff and the children who are serviced by the varied programs the year-around, join me in expressing heartfelt and combined gratitude to you, and all others who are responsible for the daily lunches received and enjoyed by the youngsters who participate in our 1971 Day Camp.

"There shall be peace on earth; but not until each child shall daily eat his fill; go warmly clad against the winter winds; and learn his lessons of life with a tranquil mind."

As you know, these children stem from underachieved and underprivileged homes and this supplement to their diet, is indeed "from heaven."

Please relay our appreciation to the members of the United Bronx Parents' and extend our invitation to have them visit our building on the lower east side of Manhattan. I have enclosed some recent literature explaining our activities.

May God hold you all warmly in the palm of His hand.

I remain,

Yours in service,

RALPH HITTMAN,
Executive Director.

JULY 27, 1972.

UNITED BRONX PARENTS,
Bronx, N.Y.

DEAR MRS. ANTONETTY: We the and myself thank you for the lunches you have supplied us with for the last couple of weeks but we would like to know if you could get us some mustard or mayonnaise instead of butter if you could please.

Your's truly,

BARRY THOMPSON.

U.S.A. CADET CORPS,
Brooklyn, N.Y., September 8, 1971.

MRS. EVELINA ANTONETTY,
United Bronx Parents, Inc.,
Bronx, N.Y.

DEAR MRS. ANTONETTY: As the summer has come to an end, we look around to thank those that helped us make it through.

Among the ones that we have to thank the most we find "The United Bronx Parents" out in front.

This summer the children in our program and others from the community, that parents didn't allow to go on trips were very lucky. Everyday they received free lunch, (sandwich, fruit, milk and juice). When the lunches were late the counselors took them by bus, train or car to where the children had gone for the day. What was left was distributed to other children in our center. Sometimes mothers came with all their children to get the lunch when it had arrived at 4 P.M.

The drivers were always courteous and well mannered no matter what we ask or told them when late. The lunches always arrived in good eatable condition. The children enjoy them. We hope you can get this program again next year and start early in July as it is badly needed.

Once more thank you for your excellent service during the summer.

Truly yours,

MERCEDES MIRANDA,
Program Director.

UPPER WEST SIDE INDEPENDENT YOUTH COUNCIL,
New York, N.Y., September 3, 1971.

MRS. KATHY GOLDMAN,
United Bronx Parents,
Bronx, N.Y.

DEAR KATHY: Once again the United Bronx Parents shows why many consider it the best run anti-poverty agency in New York City. Most of the poverty agencies throughout NYC should follow your dedication to the community. I commend your efforts in acquiring the lunches and fighting the Agriculture bureaucracy to get full Summer allotments. Because of this effort many poor children in my community were able to get a balanced meal through our lunch program. Thank you. . . .

Sincerely,

ALLEN HODGE,
President, Youth Council.

JAJA ASSOCIATION FOR THE PEOPLE.
New York, N.Y., August 11, 1971.

To: Executive Director, Evelina Antonetty, United Bronx Parents, Inc.
Subject: Reference to your letter of August 6, 1971, summer lunch program for children.

DEAR MISS OR MRS. EVELINA ANTONETTY: In reference to your letter, dated August 6, 1971, after carefully reading it and thinking about it, I decided to write to you because of your group doing what it can to feed children lunch for the Summer.

In your letter you stated that it has been only 4 weeks since your group has started the program. I can well assure you that you did a wonderful job for all the communities that you are helping.

Regardless of late deliveries, not enough variety in foods, it was just a start in the program. Next year you will be better situated to handle it better because you learn from past mistakes, not due to anyone's fault at all.

The main thing is you did get the program off its feet and you did the communities, that is serving the people. Anytime you are serving the people you are doing something and it is needed all year not just for the Summer.

If you can, you should start a Free Breakfast Program for Hungry School Children in the morning in all the communities.

We are not afraid of anyone coming into East Harlem and seeing for themselves where the food is going. It is going to the people. It is not sold and we handle a large amount of people in East Harlem. Just ask the people and I will let the people speak for C.D.C. Here is thanking you and your group for helping the people, I have to speak for the people because that's who is getting the food and I know that they need and welcome it. Keep up the good work and I and the people wish you luck Now and in the future. I Thank you and I remain.

Respectfully yours,

JAJA AKATA BERNARD.

CITY OF SAN ANTONIO,
San Antonio, Tex., April 10, 1972.

Senator JOHN TOWER,
Cannon Building,
Washington, D.C.

DEAR SENATOR TOWER: Mayor John Gatti and City Manager Gerald Henckel have asked me to write you in detail about the critical problem facing the city of San Antonio in regard to our plans for a Summer Recreation and Nutrition Program in 1972. This letter will provide additional detail to support the Mayor's telegram to you of March 6th.

The present crisis arises from the application of guidelines adopted by the Department of Agriculture for the distribution of child nutrition funds for the coming summer. Although we feel that the guidelines in general are unnecessarily restrictive, and to some degree motivated by policies unrelated to the purposes of the program, it is the priorities adopted for funding applicants which we feel are wrong. USDA says it will fund applicants in the following order.

Group I: Sponsors operating programs last year which submit applications meeting program standards—for amounts not more than their use of funds last year.

Group II: Sponsors which did not participate last year which submit applications meeting program standards—for such amounts as are warranted.

Group III: Group I sponsors—for that portion of their applications which represent the requested funds which are in excess of the approximate amount of the funds they used last year.

Source: USDA–1972 Special Summer Program—SFSP—Funding Guidelines and Action Plan. (Undated)

The USDA priorities would have some validity, applied to the City of San Antonio, if the funds allocated last year had been provided on a timely basis and if they had been guaranteed for the full summer. Neither of these most reasonable and desirable administrative courtesies was offered in FY71.

First of all, the summer nutrition grants are tied directly to the Recreation Support Program (RSP) administered by the Department of Labor. The personnel necessary to supervise and deliver the nutrition program, the presence of whom must be guaranteed to USDA in advance, are paid for with RSP funds. In FY71 RSP funds were not delivered to the City until June 28th.

Second, the USDA in its FY71 grant award letter specifically warned that funds would be provided under its terms only until June 30th. Additional funding was made entirely dependent on Congressional action authorizing the carryover of funds for the remaining two months of the summer. These two interrelated, but apparently uncoordinated, actions by USDA and DOL made it all but impossible for the City to participate at the authorized levels.

During May of 1971, in anticipation of a routine grant award, a contract had been negotiated with a caterer on the basis of a three month program beginning in the first week of June. After receipt of the grant award letter, the City Attorney advised the City Council, in late May, that in the event that Congress failed to act to authorize USDA to expand FY71 funds in FY72, the General Fund of the City would be liable for that portion of the contract which was not funded by the federal government. The contract was withdrawn, with the kind consent of the contractor, and re-negotiated in accordance with the USDA letter and the attorney's advice. Since the contractor had already placed bulk orders with his suppliers no increase in price to the City resulted, but this year he has advised us that he, or any other bidder, would have to adjust his bid to allow for the possible contingency of cancellation after one month of operation. The remaining delay in getting the program underway resulted from the failure of DOL to deliver the RSP funds until June 28th.

The positions of the City in this matter is quite simple. We feel that the Group I guideline restricting applicants, without exception, to the level of funds they used last year is draconian and self-serving if the role of USDA (and DOL) is not considered a factor in our failure to expend all of the funds authorized in FY71. We feel in addition that USDA policy is unnecessarily restrictive and timid with regard to the expenditure of funds appropriated in one fiscal year during the first months of the following year. All other federal departments with which this City deals allow this type of arrangement provided the total program funds are encumbered (i.e., contracted for or put into operation) in the proper year. The failure of USDA to adopt such a simple and legal procedure is the primary reason for the predicament the City of San Antonio faces in FY72. In addition the priorities adopted by USDA fly in the face of its own efforts to reduce the number of separate sponsors in each city. The department has consistently urged over the past two years that city government become the prime summer nutrition sponsor. The application of these priorities in San Antonio may very well result in the submission of separate applications by more than twenty-five agencies now served by the City contract. In FY71 the City was granted $600,000 to serve 20,000 children for the summer. This year we have asked for $748,000 to serve 25,000 children for the same period. The City is agreeable to the Group III priority as it would apply to the additional $148,000.

We cannot agree to the operation of the Group I priority which will limit the entire City to approximately $211,000, the amount we used under the impediments cited above in FY71. In the final analysis it is small children already deprived, who will be further deprived by the USDA action.

We, therefore, request the intervention of your office to effect an equitable solution of the present situation. It might also be helpful if the Congress auhorized and directed USDA to adopt the fund overlap policies used by other federal departments in year end situations. I understand that some effort is Presently being made within the Senate Nutrition Committee to have the Approriations Committees so instruct USDA. If so, the City of San Antonio strongly concurs.

Thank you very much for your attention to this matter. Should you wish further information or clarification I can be reached at 512/225–2746. The matter of providing meals to disadvantaged children is so critical in importance to the City that I will, if necessary, come to Washington to assist your staff should they find that desirable.

Sincerely,

ROBERT J. MACDONALD,
Director, Intergovernmental Services.

NEW LONDON MODEL CITY AGENCY,
May 30, 1972.

Hon. THOMAS F. MESKILL,
Governor of the State of Connecticut,
State Building, Hartford, Conn.

DEAR GOVERNOR MESKILL: The New London Model City Agency spent the months of February and March preparing to apply for the Summer Nutrition Program. To our dismay, we were informed that the City of New London, in this case the Model City Agency, would have to carry the entire cost of the program with rebates coming either at the end of the summer or early fall.

It is essential that with such a program, funds be allocated to the City prior to the summer, so that the City would not have to tie up its limited funds which could be used to develop summer recreational and cultural programs.

Upon writing to Senator McGovern's Senate Select Committee on Nutrition and Human Needs, we received a call informing us that the decision of reimbursing a city at the end of the summer was strictly an administrative procedure. Nowhere does the law state a city could not receive funds prior to the summer, or at least systematic advances throughout the summer.

After receiving this information we submitted our application to the Connecticut State Department of Education, School Lunch and Nutrition Division. We were then informed that since our application was not submitted prior to March 25, 1972, no other applications could be considered.

It is this agency's firm belief that in order to have a successful Summer Nutrition Program, supported by the President and Congress by Congressional appropriations, cities across the nation must be able to receive funds prior to the summer.

Your attention in this matter is essential if New London hopes to get necessary nutrition funds and if our application is to be accepted.

Sincerely,

ROBERT WILLIAMS, *Director.*

HARVARD UNIVERSITY,
SCHOOL OF PUBLIC HEALTH,
Boston, Mass., April 20, 1972.

Hon. ALAN CRANSTON,
Select Committee on Nutrition and Human Needs,
U. S. Senate, Washington, D.C.

DEAR SENATOR CRANSTON: I understand that you have shown a particular interest in the summer food programs. I am delighted to see you actively interested for at least two major reasons:

First, children need to be properly fed during the summer as well as during the rest of the year. The same health reasons which created the need for free and reduced cost school lunches during the school year apply to the summer. More than that, the summer is a period of greater physical activity, if anything, than during the winter.

Two, it is as necessary for the welfare of youngsters as it is for the tranquility of our cities during what promises to be a long and hot summer to see to it that the cities be encouraged to organize as many recreation programs as possible, including sports, for young adolescents. It is very difficult to plan a day for young people unless you are going to feed them at least once during the course of the day.

It is difficult for me to estimate what ideally the need should be. If we were to feed the needy youngsters during the summer at the same rate as we do during the rest of the year, we need at least 200 million dollars. The estimate of the mayors of 52 million dollars seems to me an absolute minimum. It seems to be twice as much as what the Department of Agriculture is prepared to appropriate. Under these conditions, I hope you and your colleagues will not decrease your efforts and the pressure that you can bring on the Executive Branch to see to it that sufficient money is authorized, appropriated and spent to make these programs a success.

With best regards.

Sincerely yours,

JEAN MAYER,
Professor of Nutrition.

U.S. SENATE,
OFFICE OF THE LEGISLATIVE COUNSEL,
April 13, 1972.

MEMORANDUM FOR SENATOR McGOVERN

This memorandum is in response to your request for the opinion of this office regarding the availability of funds, authorized by section 15 of the National School Lunch Act, to carry out the summer feeding program under section 13 of the National School Lunch Act during the summer of 1972. Specifically, you wish to know whether any further congressional action is necessary to permit the Secretary of Agriculture to expend the $135,000,000 referred to in section 15 referred to above.

Section 15 of the National School Lunch Act was amended by Public Law 92–32 (85 Stat. 85) to read as follows:

"SEC. 15. (a) In addition to funds appropriated or otherwise available, the Secretary is authorized to use, during the fiscal year ending June 30, 1971, not to exceed $35,000,000 in funds from section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to carry out the provisions of this Act, and during the fiscal year ending June 30, 1972, not to exceed $100,000,000 in funds from such section 32 to carry out the provisions of this Act relating to the service of free and reduced-price meals to needy children in schools and service institutions.

"(b) Any funds unexpended under this section at the end of the fiscal year ending June 30, 1971, or at the end of the fiscal year ending June 30, 1972, shall remain available to the Secretary in accordance with the last sentence of section 3 of this Act, as amended."

Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) constitutes a permanent annual appropriation of a sum of money, determined in accordance with the formula prescribed in such section, to be used by the Secretary of Agriculture only for certain specified purposes set forth in section 32. The first paragraph of section 32 reads as follows:

"SEC. 32. There is hereby appropriated for each fiscal year beginning with the fiscal year ending June 30, 1936, an amount equal to 30 per centum of the gross receipts from duties collected under the customs laws during the period January 1 to December 31, both inclusive, preceding the beginning of each such fiscal year. Such sums shall be maintained in a separate fund and shall be used by the Secretary of Agriculture only to (1) encourage the exportation of agricultural commodities and products thereof by the payment of benefits in connection with the exportation thereof or of indemnities for losses incurred in connection with such exportation or by payments to producers in connection with the production of that part of any agricultural commodity required for domestic consumption; (2) encourage the domestic consumption of such commodities or products by diverting them, by the payment of benefits or indemnities or by other means, from the normal channels of trade and commerce or by increasing their utilization through benefits, indemnities, donations or by other means, among persons in low-income groups as determined by the Secretary of Agriculture; and (3) reestablish farmers' purchasing power by making payments in connection with the normal production of any agricultural commodity for domestic consumption. Determinations by the Secretary as to what constitutes diversion and what constitutes normal channels of trade and commerce and what constitutes normal production for domestic consumption shall be final."

Whether one views the language of section 15 of the National School Lunch Act as an indirect amendment to section 32 or as legislation overriding the prohibition contained in section 32 against the use of the funds appropriated for any purpose not specified therein, the result is the same: An expansion of the purposes for which the funds appropriated by section 32 may be expended.

There is no legal requirement for any further appropriation process to permit the use of section 32 funds for a new purpose added by indirect amendment to those purposes enumerated in section 32. In the absence of any congressional intention to the contrary, it is therefore my opinion (1) that the authority of the Secretary of Agriculture to use funds appropriated under that section for the purpose authorized by section 15 of the National School Lunch Act is no less than if the language of section 32 itself had been amended to include the purpose specified in such section 15, and (2) that no further action by the Congress is necessary to make such funds available, within the amounts specified, for carrying out the National School Lunch Act.

There is, however, a strong indication that in enacting the first section of Public Law 92–32 (which amended section 15 of the National School Lunch Act), the Congress intended to provide stop-gap or emergency funding for free and reduced price lunches for fiscal years 1971 and 1972 until such time as the regular appropriation bill could be enacted. On page 2 of the Senate report on H.R. 5257, which was subsequently enacted as Public Law 92–32, the report states:

"Appropriations have not yet been made for fiscal 1972 and it was feared that inadequate funds would be available, particularly for the summer programs, if it were necessary to rely on continuing resolutions without adequate time for Congress to explore current needs. When Congress has an opportunity to consider fully appropriations for the Department of Agriculture for fiscal 1972, it can limit the amount of section 32 funds available for National School Lunch Act purposes as it has in past appropriation Acts."

Since fiscal year 1959 the Congress has provided in annual appropriation Acts for the use of specified amounts from section 32 to carry out the National School Lunch Act. It also provided for the transfer of a specified amount in the current agricultural appropriation Act (Public Law 92–73), but whether the Congress intended by its action of providing for such transfer to limit or nullify the transfer authority contained in section 15 of the National School Lunch Act is not at all clear.

During consideration of the agricultural appropriation bill for fiscal year 1972, H.R. 9270 (subsequently enacted as Public Law 92–73), Senator Percy offered an amendment to delete certain language from the bill relating to the use of funds from section 32 to carry out the school lunch program. He was concerned about the effect the language in the bill might be construed to have on the provisions of section 15 of the National School Lunch Act, as amended by Public Law 92–32, which also related to the use of section 32 funds. Senator Magnuson also was concerned about the provisions of the appropriation bill but with regard to the effect they would have on section 6 of Public Law 92–32 which authorized the use of section 32 funds for carrying out direct distribution or other programs in any area of the United States during the fiscal year ending June 30, 1972. The amendment to H.R. 9270 that was agreed to by the Senate regarding section 32 funds provided as follows:

"SEC. 5. Nothing in this measure shall be construed to limit the use of Section 32 funds for the implementation of Public Law 92–32."

The discussion on the floor of the Senate leading to the adoption of the amendment is attached as an appendix to this memorandum.

The Senate amendment was dropped in the conference between the two Houses and the only discussion in the joint statement of managers in connection with the action of the conferees on the matter appears on page 9 of the report (House Report No. 92–3.6). It reads as follows:

"Amendment No. 36: Deletes language exempting the provisions of Public Laws 92–32 from the limitations on the section 32 appropriation added by the Senate.

"The conferees agree that such language could threaten support for the prices of apples, fruits and other perishable commodities which are dependent upon purchase of surpluses with section 32 funds and donation to schools and needy families. There is no intent to limit the effect of Public Law 92–32 so long as it does not reduce the level of section 32 funds which need to be carried forward as provided in basic law."

There was no further discussion of the action of the conferees on the matter when the conference report was considered by the two Houses.

The statement in explanation of the amendment to section 15 of the National School Lunch Act (contained in Public Law 92–32) set out earlier and the last sentence of the explanation of Amendment No. 36 to H.R. 9270 appear to be in conflict, and what the intent of the Congress was at the time of the enactment of the appropriation bill cannot be determined from the legislative history.

In view of the foregoing, and in the absence of any further assurances from the Committees on Appropriations, I can understand that there may be a degree of uncertainty on the part of the Secretary of Agriculture to use the funds authorized under section 15 of the National School Lunch Act after the enactment of the appropriation Act (Public Law 92–73).

On the basis of the testimony of Mr. James Springfield, Director, Food Stamp Division, Department of Agriculture on April 7, 1972, excerpts of which you attached to your letter to this office, it is assumed that the Secretary of Agriculture takes the official position that even though funds under section 32 are authorized to be used for a purpose other than those specified in section 32, the funds do not actually become available for such purpose until they are included in an appropriation measure.

If the Secretary of Agriculture takes the position that he cannot, because of an understanding with the committees of Congress concerned, use funds under section 32 as authorized by section 15 of the National School Lunch Act unless the amount to be used for such purpose has been specifically included in an appropriation Act, such committees could, of course, release him from that understanding. On the other hand, if the Secretary (or the Office of Budget and Management) takes the position that such funds are not available as a matter of law until they have been specifically included in an appropriation Act, the enactment of clarifying legislation may be the only action the Congress can take, other than including such funds in an appropriation Act, to assure the Secretary of the availability of the funds.

Respectfully,

HUGH C. EVANS,
Senior Counsel.

[From the Congressional Record of July 15, 1971, pages S11222–3]

APPENDIX

Mr. PERCY. Mr. President, I send to the desk an amendment that I believe can be disposed of very quickly.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk proceeded to read as follows:

The Senator from Illinois (Mr. Percy) proposes an amendment as follows:

On page 40, line 18, delete "of" through line 20 "program;".

Mr. PERCY. Mr. President, I yield myself such time as I might require.

Mr. President, I expressed yesterday in the full session of the Appropriations Committee concern about the ambiguous language in the agricultural appropriations bill of 1971, H.R. 9270. It has been brought to my attention that the Department of Agriculture is apparently interpreting this language in light of comments made by the distinguished Representative from Mississippi, Representative Whitten, during debate on the House version of the bill.

The language concerns a possible limitation on the authority of the Secretary of Agriculture to spend any more funds from section 32 that the Congress has elsewhere authorized.

My concern stems from a point raised by Assistant Secretary of Agriculture Lyng, 2 weeks ago, whereby he stated that the House-passed agriculture appropriations bill contained language limiting the use of section 32 funds only to their appropriated amount. In effect, Assistant Secretary Lyng was saying that the appropriations bill overrode H.R. 5257, which became law June 30 (Public Law 92–32) and which permitted the Secretary of Agriculture to use up to $100 million in section 32 funds in fiscal year 1972 for implementing free and reduced-priced meals.

Although H.R. 5257 was an "allocation" measure and simply gave the Secretary authority to use already appropriated and available funds, it did pass both Houses overwhelmingly, and it would be a mistake for the Congress to take away with one hand what it gave with another.

Representative Whitten made a statement on the floor of the House when it was considering the agricultural appropriations bill. He said that the $11.2 million to be provided in the committee amendment—for summer feeding programs—"represents a maximum that the Department could use." He did not say that that was a maximum as to summer feeding or all child feeding. Even if it was as to summer feeding only, the Office of the Management and Budget, in announcing an increase of $15 million in available funds, has already exceeded that limitation, if a limitation it actually be.

Mr. President, for that reason the amendment I have offered would make it crystal clear what we actually do mean.

Mr. McGee. Mr. President, I yield to the Senator from Washington.

Mr. Magnuson. Mr. President, I submit an amendment on behalf of myself, Senator Jackson, and Senator Hart as a substitute for the pending amendment.

The Presiding Officer. The clerk will report the amendment.

The assistant legislative clerk read as follows:

On page 41, line 4, insert the following:

"Sec. 5. Nothing in this measure shall be construed to limit the use of Section 32 funds for the implementation of Public Law 92–32."

The Presiding Officer. The Parliamentarian informs the Chair that the amendment is not in order because it is not a substitute for the amendment of the Senator from Illinois, but pertains to another place in the bill.

Mr. Mansfield. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be taken out of the bill.

The Presiding Officer. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McGee. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The Presiding Officer. Without objection, it is so ordered.

Mr. Percy. Mr. President, I have examined the language of the amendment offered by the distinguished Senator from Washington. The language is perfectly acceptable to me. It accomplishes the same purpose in a very straightforward manner.

I withdraw my amendment on the basis that we will have an opportunity to see whether they will accept the amendment of the distinguished Senator from Washington.

The Presiding Officer. The amendment is withdrawn.

Mr. Magnuson. Mr. President, I submit the amendment.

The Presiding Officer. The clerk will report the amendment.

The assistant legislative clerk read as follows:

On page 41, line 4, insert the following:

"Sec. 5. Nothing in this measure shall be construed to limit the use of Section 32 funds for the implementation of Public Law 92–32."

Mr. Magnuson. Mr. President, as the Senator from Illinois well said, the amendment I have offered covers the matter he and I are concerned with. The language merely makes it clear that none of the funds or implied limitations in this appropriation bill, H.R. 9270, would apply to the use of section 32 funds as authorized under Public Law 92-32. That is all it does; it makes it perfectly clear that the Secretary of Agriculture can use section 32 funds for the purposes authorized by Congress in Public Law 92-32. This morning the administration indicated that it would not implement section 6 of Public Law 92-32. This is a terrible mistake because a special commodity distribution program is needed to feed hungry people across the Nation. I hope that this amendment makes it perfectly clear that Congress intends for the Department of Agriculture to use section 32 funds to implement this important hunger program.

Public Law 92-32
92nd Congress, H. R. 5257
June 30, 1971

An Act

To extend the school breakfast and special food programs.

Food service programs for children.
Extension.
60 Stat. 230;
84 Stat. 213.
42 USC 1751 note.
49 Stat. 774.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National School Lunch Act (42 U.S.C. 1752) is amended by adding at the end of the Act the following new section:

"Sec. 15. (a) In addition to funds appropriated or otherwise available, the Secretary is authorized to use, during the fiscal year ending June 30, 1971, not to exceed $35,000,000 in funds from Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to carry out the provisions of this Act, and during the fiscal year ending June 30, 1972, not to exceed $100,000,000 in funds from such section 32 to carry out the provisions of this Act relating to the service of free and reduced-price meals to needy children in schools and service institutions.

"(b) Any funds unexpended under this section at the end of the fiscal year ending June 30, 1971, or at the end of the fiscal year ending June 30, 1972, shall remain available to the Secretary in accordance with the last sentence of section 3 of this Act, as amended."

76 Stat. 944;
84 Stat. 208.
42 USC 1752.
School breakfast program, appropriation.
82 Stat. 119;
84 Stat. 214.
State disbursement to schools.
80 Stat. 886.

Sec. 2. The first sentence of section 4(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(a)) is amended to read as follows: "There is hereby authorized to be appropriated for each of the fiscal years 1972 and 1973 not to exceed $25,000,000 to carry out a program to assist the States through grants-in-aid and other means to initiate, maintain, or expand nonprofit breakfast programs in schools."

Sec. 3. (a) The first sentence of section 4(c) of such Act (42 U.S.C. 1773 (c)) is amended by striking out "to reimburse such schools for the" and inserting "to assist such schools in financing the".

(b) The last sentence of such section 4(c) is amended to read as follows: "In selecting schools for participation, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist, to those schools in which a substantial proportion of the children enrolled must travel long distances daily, and to those schools in which there is a special need for improving the nutrition and dietary practices of children of working mothers and children from low-income families.".

Sec. 4. Section 4(d) of the Child Nutrition Act of 1966, is amended by striking out "80 per centum" and inserting "100 per centum".

Sec. 5. Section 4(e) of the Child Nutrition Act of 1966 is amended by striking out the sentence reading "In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies." and inserting the following: "Such determinations shall be made by local school authorities in accordance with a publicly announced policy and plan applied equitably on the basis of criteria which, as a minimum, shall include the level of family income, including welfare grants, the number in the family unit, and the number of children in the family unit attending school or service institutions; but any child who is a member of a household which has an annual income not above the applicable family size income level set forth in the income poverty guidelines shall be served meals free or at reduced cost. The income poverty guidelines to be used for any fiscal year shall be those prescribed by the Secretary as of July 1 of such year. In providing meals free or at reduced cost to needy children, first priority shall be given to providing free meals to the neediest children. Determination with respect to the annual income of any household shall be made solely on the basis of an affidavit executed in such form as the Secretary may prescribe by an

80 Stat. 887.
42 USC 1773.

adult member of such household. None of the requirements of this section in respect to eligibility for meals without cost shall apply to nonprofit private schools which participate in the school breakfast program under the provisions of subsection (f) until such time as the Secretary certifies that sufficient funds from sources other than children's payments are available to enable such schools to meet these requirements."

Direct distribution programs.

49 Stat. 774.

SEC. 6. In addition to funds appropriated or otherwise available, the Secretary of Agriculture is authorized to use, during the fiscal year ending June 30, 1972, not to exceed $20,000,000 in funds from section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for the purpose of carrying out in any area of the United States direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food. Food made available to needy children under this section shall be in addition to any food made available to them under the National School Lunch Act or the Child Nutrition Act of 1966. Whenever any program is carried out by the Secretary under authority of the preceding sentence through any State or local welfare agency, he is authorized to pay the administrative costs incurred by such State or local agency in carrying out such program.

60 Stat. 230.
80 Stat. 885.
42 USC 1751 note, 1771 note.

Grants-in-aid.
82 Stat. 117.

SEC. 7. (a) The first sentence of section 13(a)(1) of the National School Lunch Act (42 U.S.C. 1761(a)(1)) is amended to read as follows: "There is authorized to be appropriated $32,000,000 for each of the fiscal years ending June 30, 1972, and June 30, 1973, to enable the Secretary to formulate and carry out a program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit food service programs for children in service institutions.".

Non-Federal contributions.

(b) In section 13(c)(2) of the National School Lunch Act (42 U.S.C. 1761(c)(2)) after the first sentence insert: "Non-Federal contributions may be in cash or kind, fairly evaluated, including but not limited to equipment and services.".

Approved June 30, 1971.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 92-198 (Comm. on Education & Labor) and
No. 92-299 (Comm. of Conference).
SENATE REPORTS: No. 92-179 (Comm. on Agriculture & Forestry)
and No. 92-233 (Comm. of Conference).
CONGRESSIONAL RECORD, Vol. 117 (1971):
May 17, considered and passed House.
May 18, considered and passed Senate, amended.
June 21, House agreed to Senate amendments with an amendment.
June 23, Senate agreed to conference report.
June 24, House agreed to conference report.

Items of Interest

[The Washington Post, Apr. 7, 1972]

SUMMER LUNCH FUND ATTACKED

By Stuart Auerbach

The Nixon administration is limiting spending for the summer lunch program to half of what the nation's cities say they need despite a ready availability of funds, the Senate nutrition committee contends.

The program, a favorite of Congress, got off to a slow start last summer too because the Department of Agriculture didn't allocate enough money to meet the cities' needs even though Congress had given it close to a blank check.

The new contentions will be aired at a hearing this morning of the Senate Select Committee on Nutrition and Human Needs.

A committee survey indicates that cities want to spend $50.5 million this summer to feed needy children taking part in recreation and day care programs.

The Agriculture Department has said it will only spend $25.5 million on the program.

"We think that $25.5 million, from what we know, is enough," said Edward J. Hekman, the director of the department's Food and Nutrition Service, who will testify today.

But Sen. Alan Cranston (D-Calif.) standing-in for committee Chairman George McGovern (D-S.D.) who is campaigning for the Democratic presidential nomination, said that the $25.5 million is "motivated solely by false budgetary considerations."

Cranston said the Agriculture Department did the same thing last year, and increased spending for the summer lunch program only under "intense pressure" from Congress.

Despite this pressure, however, many parts were delayed in getting started, Cranston said.

The summer lunch program began in 1969 as part of the federal effort to cool unrest in the nation's ghettos. It fits into special recreation programs designed to give ghetto children and youth something to do during the summer.

By all accounts summer lunch was under-utilized during its first two years. But last year, reported Assistant Secretary of Agriculture Richard E. Lyng, federal officials advertised the program, and "we goofed it. We got too many applications for the amount of money available."

Lyng and Hekman contended that many cities squandered the funds given them for summer lunches. Some cities, said Lyng, had no programs at all; they just passed out food on street corners. Other cities claimed they were feeding twice as many children as they did.

Hekman refused to name the cities yesterday, but said he would detail the Agriculture Department contentions before the Senate committee today.

Lyng said federal auditors have withheld payments to some cities, including New York, whose officials will also testify today.

Typical of the conflicting claims made by the Senate investigators and the Agriculture Department officials is one concerning the dollar differences between this year's program and last year's.

Cranston said this year's allocation falls $3.5 million short of the $29 million that the Agriculture Department agreed to spend last year.

But Hekman and Lyng said the $25.5 million allocation is a 25 per cent increase over last year—basing that claim on the $19 million that they have paid the cities for 1971. The Senate investigators, however, said that many cities have not yet been paid for last year.

Earlier, McGovern accused the Agriculture Department of limiting participation by giving first priority to cities that received money last year. And, under the federal guidelines, these cities would receive no more money than they got last year.

Boston officials complained to Sen. Edward M. Kennedy (D-Mass.) that they didn't participate last year because of the on-again-off-again nature of the program. And Los Angeles wants to feed more children than it did last year.

Cranston said the extra money is available, and its use is authorized by Congress to pay for an expanded program.

The Agriculture Department gets one-third of all import duties to use as needed. Besides the $315 million that it expected to get this year, the temporary 10 per cent surcharge on imports yielded it an additional $200 million.

"Clearly the money is there to feed our children," said Cranston.

Lyng, however, said the funds are getting low.

The summer lunch program fed close to 2 million children last summer. The school lunch program provides free or reduced-price lunches to 7.5 million.

Appendix 2

ITEMS PERTINENT TO HEARING OF JUNE 21

THE CITY OF NEW YORK,
AGENCY FOR CHILD DEVELOPMENT,
HUMAN RESOURCES ADMINISTRATION,
New York, N.Y., March 17, 1972.

Mr. RICHARD REED,
Chief of the Bureau of School Food Management,
State Education Department, Albany, N.Y.

DEAR MR. REED: With regard to your inquiries concerning New York City's Head Start/Family Day Care Breakfast Program, I hope the following information will bring you up-to-date.

HEAD START AND FAMILY DAY CARE BREAKFAST PROGRAM

Justification

The decision to seek additional funds for a breakfast program for certain Head Start and Family Day Care Program was based on the following:

The belief that a nutritionally balanced supplemental feeding program is one of the most essential components of any early childhood development program, especially those dealing with the children of low income families.

The understanding that it is generally recognized by nutritional authorities that a child's ability to make use of classroom experience, is often impaired by the lack of breakfast.

Wide community support for breakfast programs: Many low income families in New York experience difficulties in providing an adequate breakfast for their children, and have voiced their concerns for the nutritional status of their children especially as it has affected their mental, physical and intellectual growth and development.

The fact that Head Start and Family Day Care have lacked funds, due to low level of OEO funding in recent years, to cover cost of providing breakfast in many programs.

Funding

Although legislation passed by Congress in 1968 (PL. 90–302) authorized funds for the initiation, maintenance or expansion of non-profit food programs (Special Food Service Programs), in "private nonprofit institutions or public institutions, which provide day care, or other child care where children are not maintained in residence, for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers"—regulations subsequently written by the Department of Agriculture in 1969 pursuant to the Act, prohibited funds from being used for food services in New York's Head Start and Family Day Care Programs.

Specifically, the Department of Agriculture regulations provided that "established Head Start Centers, Parent Child Centers etc., whose food service has been paid for from Head Start funds" were ineligible to participate in the Special Food Service Programs. Established centers were defined as centers established prior to November 1, 1969. Since OEO was providing money enough for lunch and snacks in the New York programs and since they were established prior to November 1, 1969, they thus became ineligible for the money they needed from the Department of Agriculture in order to serve breakfast.

In view of the above, the Human Resources Administration of New York City applied to OEO for assistance. July 23, 1971, OEO granted New York City (Grant No. 2862 A/1) $250,000 Emergency Food and Medical Services Funds for a six-month demonstration program.

Program Purpose

To provide nutritionally balanced food service to participating Head Start and Family Day Care Programs, and,

To demonstrate the need, capability and eligibility of these Head Start and Family Day Care programs for Special Food Service Programs.

Program Description

As a result of the OEO Grant, 32 Head Start Agencies which operate 44 centers servicing 2,000 children (approximately 1/3 of total number of children serviced by Project Head Start in New York City) and 5 Family Day Care Centers servicing 1,000 children (approximately ¼ of total number of children serviced by Family Day Care in New York), were funded for the Breakfast Program.

Because it was necessary to both purchase certain basic equipment for the preparation and storage of foods and hire additional staff in order to insure that the service provided was related to real cost-benefits and of the highest quality, no specific start up date was set for all of the breakfast programs.

Breakfast Program menu and Budget attached.

PROGRAM STATUS—MARCH 10, 1972

Head Start

At present, 20 centers have exhausted all funds, 18 centers have run out of funds allocated for staff and will soon deplete funds allocated for food, and 6 centers have just started their programs.

Family Day Care

All 5 centers expect to run out of funds this June.

Refunding

The Breakfast Program has been a great success:

It has assured each child participating of at least the minimal daily nutritional requirements.

It has greatly improved the children performance in both the Head Start and Family Day Care Programs.

It has fostered many viable and meaningful relationships between the parents and the programs.

Many parents have already expressed, in terms of what the program has meant to their children, great suport for its continuation.

The Family Day Care Parents and the program staff have even jointly authored a "Cookbook for Mothers."

It has developed both a permanent capability within the participating Head Start and Family Day Care programs for the delivery of breakfast programs, and a strategy whereby the other Head Start and Family Day Care Programs might easily develop with the appropriate funds, the same capability.

In view of the great importance and success of the Breakfast Programs, the Agency for Child Develoment is most interested in obtaining funds for its continuation and expansion.

Continuation of the program would require less, perhaps $100,000 less, funds per year than the initial OEO grant in view of the following facts:

The initial grant paid for equipment that would not have to be replaced, and,

The cost of breakfast need not be as high now that the parents are willing and the staff is capable of designing a menu that is more inexpensive but equally as nutritious, i.e. less varied.

The Expansion of the program would require more funds depending on the number of additional programs and their equipment needs. New York City's been paid for from Head Start funds" were ineligible to participate in the Special Food Service Programs. Established centers were defined as centers established prior to November 1, 1969. Since OEO was providing money enough for lunch and snacks in the New York programs and since they were established prior to November 1, 1969, they thus became ineligible for the money they needed from the Department of Agriculture in order to serve breakfast.

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In view of the great importance and success of the Breakfast Programs, the Agency for Child Develoment is most interested in obtaining funds for its continuation and expansion.

Continuation of the program would require less, perhaps $100,000 less, funds per year than the initial OEO grant in view of the following facts:

The initial grant paid for equipment that would not have to be replaced, and,

The cost of breakfast need not be as high now that the parents are willing and the staff is capable of designing a menu that is more inexpensive but equally as nutritions, i.e. less varied.

The Expansion of the program would require more funds depending on the number of additional programs and their equipment needs. New York City's

Family Day Care Program services approximately 4,058 children; New York City's Head Start Program services approximately 6,000 children.

In view of the cut back in OEO funds and the fact that we are not likely to get monies from funds authorized for demonstration programs—in that we have already demonstrated the feasibility and need for Head Start and Family Day Care Breakfast Programs—the only hope for the children in these programs seems to lie in the Department of Agriculture Special Food Service Programs.

In order for New York City's Head Start and Family Day Care Programs to be eligible for this program, two things would have to happen; its regulations would have to be changed and its budget would have to be increased.

With regard to the former, the Agency for Child Development telephoned Mr. Herbert Rorex, Director of the Child and Nutrition Division of the United States Department of Agriculture. He agreed that the November 1, 1969 cut off date was originally established because OEO programs were so well funded initially. It was, therefore, thought they would not need additional funds for food service. He further agreed that this view is no longer relevant. He also agreed that, according to the exact wording of the regulations, the Department of Agriculture could in fact fund a Head Start breakfast program with Special Food Service Funds if OEO was only funding the program's lunch and snacks. He also stated, however, that no matter what regulations were changed, we could receive no additional funds unless the Special Food Service Program budget was increased.

With regard to the latter, Mr. Reed, I know you are fully aware. It is you who had the unfortunate duty of telling us of the freeze that the Office of Management and the Budget had placed on these funds, a freeze which by the way, has meant that 26 day care centers (the number of those established since the freeze) have become ineligible to receive Special Food Service funds for breakfast programs.

I hope the information provided here will help you in the fight to obtain more Special Food Service Program funds for New York. In view of the following facts we cannot afford to lose:

Most of the Nation's publicly funded day care programs are located in New York.

By 1974, New York City alone will be serving more than double the number of children presently eligible for the Special Food Service Program.

According to the New York City Department of Health[1] over 40% of children under the age of 7 from low income families in New York suffer from nutritional deficiencies.

Nutritional defiencies prevelent in the diet of children during the first 8 years, the years during which the brain grows to 80% of its adult weight, cause mental retardation.

I am shocked and dismayed that the President's FY 1973 budget for Section 13 of PL 90–302, The Special Food Service Program, reflects a forty per cent reduction from the 1972 estimate of 32 million. I am further saddened by the fact that monies available under Section 32 of the 1935 Agricultural Adjustment Act which could be transfered to the Section 13 budget in FY 73 and in fact even today to meet New York's present needs, have apparently been frozen. This is incredible in view of the fact that the recent tax on agricultural imports must have greatly increased the amount of monies now amassed in the Section 32 account.

Together, I hope we can do something to change this situation and thus meet the real needs of the children in New York.

Thank you again for all your efforts in this matter, I look forward to hearing from you.

Sincerely,

GEORGIA L. MCMURRAY,
Commissioner.

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[1] See date published in enclosed article in New York Times, October 14, 1973.

[From the New York Times, Oct. 14, 1970]

DOCTORS EVALUATING DATA IN STUDY OF MALNUTRITION HERE

(By David K. Shipler)

The first results of a Federal study of malnutrition in New York City show that nearly half a sample of low-income children under 7 years old here suffer from low levels of vitamin A.

Other forms of nutritional deficiency were found generally in fewer than 10 per cent of those tested, and some kinds of inadequacies were not encountered at all.

Preliminary data from the survey of 2,000 people were made public yesterday by the City Health Department, which conducted the study as part of a 10-state investigation by the Public Health Service into nationwide problems of malnutrition.

But whether any of the deficiencies found in New York constitute genuine "malnutrition" is not clear, according to Dr. Robert G. Newman, a Health Department official who supervised the survey here.

Some doctors and health aides who work in slum neighborhoods believe that many poor people do not eat proper foods and that the result may be malnutrition, but in forms that are often subtle and hard to detect.

"We don't know how to define malnutrition," Dr. Newman said yesterday.

Doctors disagree, he explained, on what amounts of particular vitamins in the bloodstream should be considered adequate or inadequate for good health.

"Nobody can say with certainty that this is normal and that is not normal, and this is good and that is bad," Dr. Newman explained. "At the moment it's a very imprecise science."

This continued debate has been underscored recently by the Public Health Service, which, even while the survey was being conducted, changed the levels of nutrients to be considered "low."

Furthermore, vitamin deficiencies in the degrees observed in New York City have not been conclusively linked to specific symptoms or illnesses, Dr. Newman said.

It is known that a lack of thiamine (vitamin B1) causes beriberi with acute convulsions, for example, but it is not clear how low the thiamine level must get before one experiences such symptoms. Similarly, vitamin A deficiency contributes to a loss of vision in dim light, but the question is how little before vision is affected.

The figures released yesterday were based only on laboratory analysis; clinical examinations that doctors made of each person tested were not taken into account. Dr. Newman said he thought when the examination results were tabulated, they would shed some light on the relationship of nutritional deficiency to certain ailments.

Other research in recent years has touched on diet as a factor in children's performance. In 1968 a team led by Dr. George Christakis of Mount Sinai Medical Center found in a study of 642 children on the Lower East Side that reading scores were lower for those whose diets were poorer. But Dr. Christakis added that the results were not conclusive.

Dr. Harold B. Wise, who directs the Martin Luther King Health Center—a community clinic in the South Bronx operated by Montefiore Hospital—said recently that there was a "hunch" among doctors that anemia, found in about 10 per cent of the children who came to the clinic, produced lethargy and poor performance in school. But this has not been proved, he added.

The Federal study showed that the lower the income, the greater the chance of nutritional deficiency.

Eight per cent of the sample's low-income children 6 years and under had low hemoglobin levels (less than 10 milligrams of hemoglobin per 100 milliliters of blood), which is one test for anemia. But only 3 per cent of the upper-income children of the same age were found with that condition.

The dividing line for upper and lower income, Dr. Newman said, varied by family size, but was based—for the purpose of rough, preliminary calculations—on an annual income of $4,156 for a family of four. Everything below that was considered "lower income."

Forty-six per cent of the low-income children under 7 had vitamin A deficiency, compared with 18 per cent of the upper-income youngsters. Between the ages of 7 and 12, the figures were 27 per cent of the lower-income and 25 per cent of the upper. Nobody over 60 years old and of a low-income status was found lacking in vitamin A.

Similar patterns prevailed in other tests. Ten per cent of the low-income children between 7 and 12 were low in riboflavin (vitamin B_2), compared with 6 per cent of the upper-income youngsters. Riboflavin deficiency is associated with lesions of the eyes, mouth and skin.

Virtually no deficiency of vitamin C was found in the laboratory tests, except in 2 per cent of the low-income people between the ages of 13 and 60. Dr. Newman speculated that this might be because many soft drinks, popular among children, contain added vitamin C.

Very little protein deficiency was encountered by the study, and none at all among children under 13 years of age.

Doctors who work in the slums can document one case of rickets—a disease of soft, deformed bones thought to be largely due to a lack of vitamin D—and two cases of kwashiorkor, a disease of extreme protein deficiency characterized by swelling, diarrhea and irritability. The three cases were discovered in the South Bronx in recent years.

On one recent weekend a welfare mother who had run out of money and could not feed her four children gave them tranquilizers to keep them quiet, according to Dr. David Kindig of Montefiore Hospital in the Bronx. The children, ages 2, 4, 5 and 16, recovered.

But such dramatic cases of hunger rarely come to the attention of medical personnel. Dr. Wise, who runs the Martin Luther King clinic, said he thought numerous poor people, never touched by health services, were trapped in bad diets not only by low income but also by habit, custom and neglect.

DIETARY HABITS STUDIED

The clinic has on its staff an anthropologist, Dr. Allan Harwood, who studied the dietary habits of some 30 South Bronx families as part of larger research into attitudes of the poor toward their health.

He found that people ate an average of two, not three, meals a day. "There's a lot of snacking," he said, on candy, cake and soft drinks. He found pregnant women who ate laundry starch, coffee grounds, cigarette ashes and raw rice.

Dr. Harwood's study also uncovered a resistance on the part of pregnant Spanish-speaking women to taking iron pills, to supplement their diets and decrease the chance of anemia caused by iron deficiency in their babies.

He said the women characterized some foods and medicines as "cold" and others as "hot." Iron was considered "hot," and they believed it would cause their babies to be born with rashes or birthmarks.

POOR BREAKFASTS NOTED

"People eat worse at the end of the two-week period between welfare checks," Dr. Harwood said. "The more children they have, the worse it is." He said they often laced chopped meat with plenty of bread, or made a chicken stew without much chicken.

Mrs. Sonia Valdes, who supervises community health workers in the Martin Luther King clinic, said the coming of the welfare check often revived a neighborhood. "You can actually see the tempo of the neighborhood change when the welfare check comes in," she said.

Children rarely eat cereal or other iron-rich foods for breakfast, Mrs. Valdes said, but settle for the leftover beans or rice from the night before. Or they are given quarters to buy cake and soft drinks on the way to school.

The Federal food stamp program, introduced in the city Aug. 31, enables a family of five, for example, to buy $126 worth of stamps for $98. Mrs. Valdes and other health workers think the program will help somewhat, but will not solve the money problems.

The poor often pay more for their food. The clinic, in a study, found that while supermarket prices in slum neighborhoods were less than in middle-income areas, most poor families relied on credit to make their purchases. Supermarkets will not give them credit, the study found, so they patronize small groceries, whose prices are 25 to 50 per cent higher.

A number of doctors and nutritionists have said that the most severe malnutrition problems are found among alcoholics and narcotics addicts, who often suffer from protein deficiency, and among some elderly who live alone, isolated, often afraid to go out of their rented rooms. They are caught in what some social workers call the "tea and toast syndrome."

In a paper presented last night to the New York Academy of Medicine, Dr. Newman, who supervised the Federal study here, concluded that as a result of the limited research techniques, "we are not in a position to answer the question originally posed by Congress concerning the extent of malnutrition and health-related problems in the target population."

STUDY LINKS MALNUTRITION AND POVERTY

(By Marjorie Hunter)

WASHINGTON, APRIL 27.—A Senate committee was told today that a Government survey just completed in Texas and Louisiana found "widespread malnutrition," attributed in part to poverty.

"The poorer you are, the more likely you are to suffer from serious malnutrition," Dr. Arnold Schaefer told the Committee on Nutrition and Human Needs.

This finding is expected to bolster efforts by Senator George McGovern, Democrat of South Dakota, and 44 other Senators to attach a liberalized food stamp plan to the Nixon Administration's welfare reform bill passed two weeks ago by the House.

Dr. Schaefer also provided psychological assistance today for another pending bill, for a liberalized school lunch program, by testifying that malnutrition was particularly widespread among poor children.

His report on the extent of malnutrition in the two Southern findings Dr. Schaefer, director of the National Nutrition Survey, had presented to the committee more than a year ago.

The real significance of his testimony today lay in relating malnutrition to poverty—a link he had earlier said he was not prepared to make on the basis of preliminary findings.

Testifying before the committee in January, 1969, he had been asked if he could relate malnutrition to low-income levels.

"Honestly," he replied, "we cannot at this point."

But today, on the basis of the complete findings in Louisiana and Texas, Dr. Schaefer testified: "There is no longer any doubt that the incidence of malnutrition is related to poverty income levels."

Last year the Senate approved a bill granting free food stamps for the neediest, but the House Agriculture Committee has stripped away the free-stamp provision and tightened up eligibility requirements.

M'GOVERN'S PLAN

In proposing that the stamp plan be added to the welfare reform bill, Senator McGovern and others will be seeking to bypass the largely conservative House Agriculture Committee.

Within hours after Dr. Schaefer testified a Senate-House conference committee approved a liberalized school lunch program entitling children from poor families to free or reduced-price lunches.

The conference agreement, if approved by both the Senate and House, would provide hot lunches for about eight million poor schoolchildren, about five million more than now.

Dr. Schaefer's testimony today was limited to findings in Louisiana and Texas. Next week, he will report on completed surveys in New York, Kentucky and Michigan.

Surveys in five other states—California, Massachusetts, South Carolina, Washington and West Virginia—have not been completed.

COMPLETE DATA

Dr. Schaefer testified that complete data on the 13,373 persons examined in Texas and Louisiana bore out preliminary findings of serious malnutrition.

He told of finding two or more nutritional deficiencies in 48.5 per cent of children aged one to nine; 39.5 per cent, aged 10 to 12; and 54.5 per cent aged 13 to 16.

In Texas, he said 8 of every 10 preschool children examined were deficient in Vitamin A, a vitamin essential to proper functioning of the skin, cells lining membranes, and proper vision.

Dr. Schaefer also told of finding widespread growth retardation, serious anemia and dental decay among many of those examined.

Dr. Schaefer conceded that some of his findings might be obsolete, since the survey was begun nearly two years ago.

Because of the preliminary findings disclosed last year, many states have expanded their food programs.

FROM CONGRESSMAN VANIK

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 17, 1972.

Hon. GEORGE MCGOVERN,
Chairman, Senate Select Committee on Nutrition and Human Needs,
Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed is a copy of a letter which my office has just received which explains, in vivid detail, the terrible financial problems facing New York City and the State of New York in continuing to finance their School Breakfast and Section 13 School Lunch Programs.

At the beginning of this year, I polled the various state directors of the Section 13 Program, and I found that most states are experiencing or will soon begin to experience the type of problems which are detailed in the attached letter. During the last week, my office has received a number of inquiries from the State of Oklahoma concerning the termination of that State's Section 13 programs because of a lack of funding.

If a copy of this letter from Commissioner Georgia L. McMurray of the Agency for Child Development of New York City to Dr. Earl Butz, Secretary of the U.S. Department of Agriculture, has not been included in the hearing record of April 10, 1972, I would like at this time to respectfully request that this letter and the data which it contains be entered in the hearing record.

Sincerely yours,

CHARLES A. VANIK,
Member of Congress.

Enclosure.

THE CITY OF NEW YORK,
AGENCY FOR CHILD DEVELOPMENT,
New York, N.Y., March 27, 1972.

Dr. EARL BUTZ,
Secretary, Department of Agriculture,
Washington, D.C.

DEAR SECRETARY BUTZ: The Agency for Child Development is one of the five agencies of the Human Resources Administration of New York City. It has primary responsibility for and jurisdiction over Head Start, Group Day Care and Family Day Care programs.

The Agency presently serves 28,868 children in these programs. By the end of FY 73 we expect to be serving approximately 45,650 children, an increase of approximately 16,782 children.

This expansion will of course greatly increase the demand for Group Day Care and Head Start breakfast programs. Using approximately the same ratio of participation as that presently reflected by New York City's current level of participation in the breakfast programs funded pursuant to Section 13 of the National School Lunch Act which authorizes Special Food Service Programs, we calculate that in FY 73 New York City will need to expand its breakfast program to include an additional 9,000 children. Currently, New York City is funded for approximately 6,000 breakfasts. In FY 73 New York City would need to be funded for 15,000 breakfasts.

According to a telegram sent March 20, 1971 by Wallace Warren, Food & Nutrition Service Administrator of the North East Region, to the New York State Department of Education, which advised New York's Bureau of School Food Management to approve only renewal applications for breakfast and other Special Food Service Programs, it appears that there will be no money in FY 72–73 to meet the need for breakfast programs in most of our day care centers. In otherwords, New York State can only expect for FY 72–73 the amount of Section 13 funds it received for FY 71–72, $887,887.

Richard Reed, Chief of the Bureau of School Food Management, of the New York State Department of Education informs us that in order to meet the need for breakfast programs reflected by New York City's expansion of day care services New York State would need an additional $1,000,305 in Special Food Service Program funds. $400,000 of this amount would cover food costs for New York City's programs, $500,000 would cover equipment costs and $100,000 would cover the expected expansion in day care breakfast programs in the rest of the State.

I am shocked and dismayed that the President's FY 1973 budget for Section 13 of PL 90-302, the Special Food Service Program, reflects a forty per cent reduction from the 1972 estimate of 32 million. I am further saddened by the fact that monies available under Section 32 of the 1935 Agricultural Adjustment Act which could be transfered to the Section 13 budget in FY 73 have apparently been frozen. This is incredible since we already know that the recent tax on agricultural imports have increased the amount of monies now amassed in the Section 32 account to over $600,000,000.

In view of the monies thus available, I urge you to reconsider your budget request. Though the testimony of Edward J. Hekman, Administrator of the Food & Nutrition Service before the Senate Appropriations Committtee on March 17, argued that the Department of Agriculture's budget request for Special Food Service funds (a $2,000,000 decrease from last year's budget) would cover the anticipated expansion in non-school breakfast programs, I think the information provided here argues otherwise.

Although the first report of the National Advisory Council on Nutrition failed to make recommendations for meeting the nutrition needs of children in their first five years of life, I hope you will consider by recommendation with regard to the needs of New York City's pre school children.

We cannot turn a deaf ear to the 9,000 pre school children in New York who will be asking us for breakfast next year. The New York City Department of Health reports that already over 40% of the children under the age of 7 from low income families in New York suffer from nutritional deficiencies. As you know nutritional deficiencies in the diet of children during the first 8 years, the years during which the brain grows to 80% of its adult weight, cause mental retardation.

Sincerely,

GEORGE L. MCMURRAY, *Commissioner.*

STATEMENT BY SENATOR WALTER F. MONDALE, HEARINGS OF U.S.D.A. FOOD ASSISTANCE FOR THE POOR, SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Mr. Chairman, I was especially pleased to be asked to submit, for the record, observations I have made through my work with preschool programs both on this Committee and the Subcommittee on Children and Youth, which I am privileged to chair.

Those who are now active in programs to serve the needs of young children recognize the importance of sound nutrition components. I don't need to review for the other members of this Committee the growing literature linking nutrition, mental development, and school performance. But certainly it is a body of information which supports the demand for strong nutritional programs for all preschool children, especially those participating in day care and Heatstart programs.

When legislation for day care and Headstart programs was passed, Congress stressed the growing need for programs that provide all the components necessary for a complete child development program. Day care programs were developed to meet the educational, health, and nutritional needs of young children.

Congress made available $184 million for Special Food Service Programs for Children for FY 72, so that the nutritional component could be provided. U.S.D.A., as revealed in *Half a Loaf-Food Assistance in FY 1972*, the report published by the Nutrition Committee, has arbitrarily decided to leave $150 million, 80% of the available funds, unused.

As a result day care and Headstart programs are routinely being told that the funds for these programs are exhausted. Children who are legally eligible to receive feeding under this authority, cannot because of the USDA freeze on funds.

Even though statistics continually show a substantial increase in the growth in day care programs all across the country, this freeze has persisted. Even though Congress has passed legislation supporting day care, Headstart, and other federally assisted preschool programs, USDA continues the freeze of funds.

Some day care and Headstart centers have cut their food costs by cuting back on the number of nutritious snacks they provide, by cutting out breakfast completely, or by cutting down on the number of children they allow in the program. None of these alternatives are good ones, but they seem to be the only ones available to program directors as long as U.S.D.A. does not release the necessary funds.

Day care and Headstart centers should not have to face a choice between any of those alternatives. The money is available. They should receive it.

Congress committed itself to providing the nutritional component as well as the other essential components included in a complete child development program. Congress provided the funds for the programs. USDA has the authority to use the funds, but the Department has failed to respond to Congressionally recognized needs among young children, by spending the money that is available to them.

I strongly feel that action must be taken to see that the Department provides the appropriated funds to day care, Headstart, and other preschool programs to meet their existing needs. Steps also must be taken to provide for the expansion in these programs so that a full range of health, nutrition, and other supportive services can be provided.

Division of Field Services,
Office of Food Program Administration,
February 17, 1972.

Mr. Philip Olsson,
Deputy Assistant Secretary, Division of Consumer and Marketing Services, U.S. Department of Agriculture, Washington, D.C.

Dear Mr. Olsson: Since our meeting on February 3, New Jersey's already serious need for Special Food Service funds has increased substantially. For many months we have been rejecting applications for new day care meal programs because of our acute shortage of funds.

As of February 17, we have fifty-one applications pending. These fifty-one eligible child care centers would serve approximately 3,900 children each day. Additional applications which we cannot fund arrive each week.

If we were able to fund these fifty-one programs so that they could begin to serve meals on March 1, we would need approximately $138,840 through the end of this fiscal year.

Because our Fiscal Year 1972 Section 13 allocation is so inadequate, we do not now have the Special Food Service funds necessary to approve these programs. Many of our applicant centers operate on very low budgets and have no other possible source of funds for meal programs.

I must request that you take all necessary steps to obtain for New Jersey additional Section 13 funds in an amount sufficient to meet the serious needs of our child care centers for the remainder of this fiscal year.

Sincerely,

Lewis B. Straus,
Director, Office of Food Program Administration.

Arizona Early Childhood Council,
Phoenix, Ariz., August 10, 1972.

Mr. Kenneth Schlossberg,
Staff Director, U.S. Senate Select Committee on Nutrition and Human Needs, Washington, D.C.

Dear Mr. Schlossberg: It has come to the attention of the Arizona Early Childhood Council that funds which were appropriated by Congress for the Special Food Services Program for low income children have not been released by the U.S. Department of Agriculture and are not therefore available to the many eligible day care centers who are applying for these funds.

There is an observable difference in the quality of the nutritional program available to low income children in the nonprofit day care centers which are receiving the Special Food Services Funds and the accompanying consultation from the Arizona School Lunch Division staff. Only 41 day care centers are presently funded, and we estimate that this meets the needs of only 25% of the existing Arizona day care facilities which are eligible. Some of the applications of these funds have been on file for two years.

Since one hundred thirty five million dollars were appropriated by Congress for the Congress for the Special Food Services program, we are wondering why the U.S. Department of Agriculture has delayed releasing funds to the States.

We hope that you can investigate this problem for us and urge the Department of Agriculture to take action with all possible speed, in order that we can improve the nutrition of needy Arizona children.

Thank you for your always-courteous cooperation.

Respectfully,

WYNN WRIGHT, *Chairman.*

Material Submitted by the Witnesses

FROM MRS. SHEILA MALLOY

SEQUENTIAL RECORD

April 1971	OCD evaluation-Nutrition Component made responsibility of health coordinator
June–August 1971	No program
September 1971	Called Boston school lunch office. Told of Vanik Bill cut-off November, 1969 Head Start "too late to be eligible"
	Questioned about our delegate agency—whether SAC or school department. Told that unless our delegate agency is school department we were not eligible to be receiving school lunch
September 1971	Told by Springfield school department that they were informed by Boston that they (Boston) would not continue to pay for Head Start lunches. So Title I entered picture; therefore, testing for eligibility
October–December 1971	Correspondence with school department regarding situation (see enclosed letters) Conferences—always the same story—inadequate funds and no eligibility for Head Start
May 1972	Conference—advised to apply anyway
June 1972	Visited Stalkers office—essentially same answer

ADDITIONAL CORRESPONDENCE

THE PUBLIC SCHOOLS OF SPRINGFIELD, MASS.,
September 16, 1971.

MR. SIDNEY SHAPIRO,
Acting Director of Head Start, Springfield Action Commission, Buckingham School, Springfield, Mass.

DEAR MR. SHAPIRO: The State Department of Education has verbally questioned our using Title I funds to provide hot lunches to the Headstart program. The reason for their question is the different criteria for selection of children to receive services in a Title I program, and an Office of Economic Opportunity program. Whereas the O.E.O. criteria is family economic level, the Title I criteria is educational deprivation. The State Department has requested us to work with you to establish an educational criteria for selecting your pupils. This selection would be your task and your decision, but the educational criteria would be submitted to the State Department of Education to indicate that your pupils are educationally deprived as well as from poverty families.

We will also need your assistance in evaluating this food service. Here, we would like to use a simple teacher questionnaire.

We look forward to your reply and to working with you on these two aspects of the Title I hot lunch activity to Headstart children.

Sincerely,

JOHN J. SULLIVAN,
Director, Federal and State Projects.

THE COMMONWEALTH OF MASSACHUSETTS,
DEPARTMENT OF EDUCATION,
DIVISION OF SCHOOL FACILITIES AND RELATED SUBJECTS,
Boston, Mass., October 22, 1971.

Mr. PAUL B. RANNENBERG,
School Lunch Director,
Springfield School Department, Springfield, Mass.

DEAR MR. RANNENBERG: In auditing your claim for reimbursement we noticed that claims were being made for children that are not part of the enrollment of any of your schools. Therefore, no claim may be made for these children.

If the school department wishes to supply these children with lunches, the full cost of the meals must be paid to the School Lunch Account.

We trust that this information is satisfactory. If you have any questions, please do not hesitate to call or write this office.

Very truly yours,

JOHN C. STALKER, *Director.*
By JOSEPH A. CELLA.

Month of September 1971

	Served to needy
Center: Early childhood	376
Title I—Head Start:	
Eastern Avenue	270
Girls' Club	80
Mass. Avenue	585
South End	80
West Springfield	80
Total	1,471

THE PUBLIC SCHOOLS OF SPRINGFIELD, MASS.,
November 2, 1971.

Mr. SIDNEY SHAPIRO,
Acting Director, Springfield Action Commission, Project Head Start, Springfield, Mass.

DEAR MR. SHAPIRO: We would like to set a meeting on Tuesday, November 9, 1971, at 10:30 a.m. in my office with people from your staff to consider the educational criteria for selecting your children and evaluation procedures of the food service program provided by the School Department with Title I funds.

Will you please confirm the time and place of this meeting as agreeable with your Coordinators, if it is inconvenient, we can reschedule it at a different time.

Sincerely,

JOHN J. SULLIVAN,
Director, Federal and State Projects.

THE PUBLIC SCHOOLS OF SPRINGFIELD, MASS.,
November 10, 1971.

Mr. SIDNEY SHAPIRO,
Acting Director, Springfield Action Commission, Project Head Start, Springfield, Mass.

DEAR MR. SHAPIRO: Thank you for your letter postmarked November 9, 1971, informing me that it will not be possible for you to keep your scheduled meeting on November 9th. In talking to a secretary at the Headstart Office yesterday, she informed me that there was a mix up over dates, and I asked to reschedule the meeting on Tuesday, November 16, 1971, at 10:30 A.M., and I asked to have this confirmed. I find I will not be available on the date you suggest, November 15th at 11:00 A.M. I would appreciate a prompt confirmation of the Tuesday, November 16th time, or sometime on Thursday, November 18th.

The topic of the meeting is taking on crisis proportions. First, as you surely are aware, the federal and state people are questioning the mingling of Title I funds and O.E.O. funds in Headstart, because of the different criteria for selection. Because of this, Title I funds have taken over Headstart in New Bedford, I understand. Thus, the continuation of the Title I hot lunch program for Headstart is being questioned.

Additionally, the School Lunch Department has been claiming the Headstart hot lunches for reimbursement from the State Lunch Department. The State has now rejected the claim because the Headstart children are not enrolled in the Public Schools. The State Department of Education Title I Office has been asked to approve the entire cost of the Headstart hot lunch program. There seems to be a reluctance to grant approval until the matter of selection criteria is resolved.

Consequently, the School Department cooperation with the Headstart hot lunch programs is in jeopardy. For our meeting (date and time to be determined), we would like to have copies of (1) your selection criteria (as in your approved proposal), (2) the O.E.O. guidelines concerning selection of children, and (3) copies of all forms you use for registration and screening of children. With this data, we will attempt to build a case that the Headstart selection procedure qualifies under Title I guidelines.

We will appreciate a prompt reply to confirm a meeting date and time.

Sincerely,

JOHN J. SULLIVAN,
Director, Federal and State Projects.

THE PUBLIC SCHOOLS OF SPRINGFIELD, MASS.,
November 16, 1971.

MR. SIDNEY SHAPIRO,
Acting Director, Springfield Action Commission,
Project Head Start, Springfield, Mass.

DEAR MR. SHAPIRO: As a follow-up to our meeting this morning, we are sending you photos of pertinent pages from the Massachusetts Title I Guidelines. We are asking you to reply in writing concerning an educational criteria used in selecting Head Start children or to be used in reselecting these children. This criteria should be one which uses appropriate objective information in establishing that the children selected to participate in Head Start are educationally deprived. The second question on the enclosed pages indicates the definition of educationally deprived children. The School Department provided you with the criteria which we use in our Pre-School Program and this criteria has been approved by the State Department of Education.

You indicated that you have copies of 30 approved FY 1972 Massachusetts Title I Projects. This gives you 31 different options for selecting a method of establishing educational deprivation. There are countless other ways and instruments not included in your 31 copies and mixtures of those 31 which could be approved.

The State Department is presently considering a request from the School Department to increase the Title I funds for Head Start Hot Lunch Program to the needed $.55 per meal. We are requesting a response from you as fast as possible in order to present the State Department with information establishing that your children are educationally deprived within the Title I definition. We hope that this information will be provided within one week so that the School Department can submit it to the State Department of Education for consideration along with the request for increased funding for Head Start Hot Lunch Program.

We appreciate your concern for the constitutionality of the legislation and your deep concern for the inadequacy of measuring instruments. However, as I pointed out, it is incumbent upon us to establish a practical criteria for submission to the State Department of Education in order to receive the funds which we have requested.

We will appreciate the prompt attention of you and your staff to this matter. If this Office is able to provide any technical assistance or an educated opinion as to other criteria the State Department would approve, we would be happy to work with you.

As agreed this morning, November 16th, we are establishing one week from today, Tuesday, November 23rd the latest for the receipt from your Office of this educational criteria. We would appreciate this as early as possible.

I do not need to impress upon you the urgency of this problem of continued Title I funding for Head Start Hot Lunch Program.

Sincerely,

JOHN J. SULLIVAN,
Director, Federal and State Projects.

SPRINGFIELD PUBLIC SCHOOLS,
Springfield, Mass., December 7, 1971.

Memorandum to: SIDNEY SHAPIRO, Deputy for Education, Springfield Action Commission

Today, in conversation with Mr. John Stalker of the State Lunch Department, he has agreed upon a method by which the State Lunch Department will be able to continue funding the Springfield School Lunch Department for the lunches provided to S.A.C.'s Headstart Program. Paperwork to complete this agreement is now under way. Consequently, this takes the pressure off us in regard to seeking additional Title I funds to continue this program.

However, we still have to work on the two items of setting an educational criteria for admittance to Headstart and agreement on evaluating the Hot Lunch Phase only of the Headstart Program.

We have not received from you, as of this date, a response to our letter requesting Headstart to establish an educational criteria for selecting educationally deprived children. We have received a letter from Ann Harris indicating different instruments being used for Headstart children. While the instruments themselves are fine, we still need, from the Springfield Headstart Program, a statement that such instruments are being used to screen children and those who are educationally deprived are admitted to the Headstart Program.

We will appreciate a response from your office in regard to establishing an educational criteria, which has been or will be used in the selection of children for this year.

We have talked with the State Department of Education in regard to the letter from Mrs. Harris, and the State Department officials agree that naming the instruments used is only the first step in establishing an educational criteria. The State Department is desirous that we assist you in any way to help you state the educational criteria for your Headstart Program.

Thank you for your cooperation.

JOHN J. SULLIVAN,
Director Federal and State Projects.

THE COMMONWEALTH OF MASSACHUSETTS,
DEPARTMENT OF EDUCATION,
DIVISION OF SCHOOL FACILITIES AND RELATED SERVICES,
Boston, Mass., June 12, 1972.

MISS JOYCE STROM,
Springfield Action Commission-Head Start, Springfield, Mass.

DEAR MISS STROM: In response to your request, enclosed you will find three (3) copies of application and agreement forms for participation in the Special Food Service Program for Children and the Summer Program.

Please complete the forms in triplicate and return them to this office. Signatures are required on the forms.

Although we are accepting application and agreement forms to participate in the Special Food Program for Children, we cannot approve them until this program is properly funded to enroll new participants. If you wish to write your Congressional Representatives asking their support for additional funding to this program, we suggest that you do so.

If you have any questions, do not hesitate to write or phone this office to the attention of the Program Expansion and Food Services Facilities Section.

Sincerely yours,

JULIUS CANDELA,
Project Director, Program Expansion.

I have some interesting figures substantiating testimony we've heard here today. I received them yesterday from Mr. Stalker.

Year-round program, 1972

Anticipated	$307,000
Actual (approved application)	370,000
New (not yet approved)	350,000

Summer feeding program

Approved summer application	$592, 788
Current application (not approved)	50, 000

Since applications were sent only to those programs approved last year, many more programs aware neither of possibility of getting funds nor date for submitting applications. (See attached letter.)

THE COMMONWEALTH OF MASSACHUSETTS,
DEPARTMENT OF EDUCATION,
DIVISION OF SCHOOL FACILITIES AND RELATED SERVICES,
Boston, Mass., March 24, 1972.

To: Sponsors of Special Summer Feeding Programs.
From: John C. Stalker, Director.
Subject: Special Food Service Program for Children.

We are enclosing with this letter copies of two handbooks which provide operational guidance and direction on the special summer feeding program funded by the United States Department of Agriculture and administered by this Bureau. *Since you participated in this program last summer,* you have some knowledge of program benefits and how the program operates.

Audits and special reviews of many of last summer's programs revealed widespread program abuses and poor program management. Many of these problems were the result of a lack of proper planning and a lack of knowledge of program requirements at the local level. These handbooks, one for the use of program sponsor, and one for the use of personnel at each food service site, are designed to help remedy this problem.

Read the handbooks carefully. You will note that many areas of program operation will be much more stringently controlled this year than they were last year. In order to be approved this year, a program must be well planned and organized.

Applications must be submitted by April 1, 1972. The revised Federal regulations state that first priority in approving programs will be given to previous sponsors who submit their applications by April 1, 1972. The revised regulations also provide that each application be accompanied by information on each site at which food will be served. Approval of applications will be selective; that is, some sites may be approved while other sites on the same application may not be approved.

Complete SCFP–1 in duplicate for *each* service institution and SCFP–2 in duplicate for *each* feeding site.

The two handbooks are made available at this time in the interest of providing adequate time for planning. They are based on proposed regulation changes which have not been issued in final form. Final regulations will be based on comments received regarding proposed regulations published in the Federal Register. Therefore, you should understand that the handbook may be subject to revision depending on the final regulations.

You should proceed to implement the planning and pre-application phases of the preparation for the summer programs, keeping in mind that applications are due by April 1, 1972. When the final regulations are published in the Federal Register, you will be advised of any changes which the regulations make necessary. However, as of this date we doubt that there will be any changes.

At the present time it is anticipated that our state allocation will not be much in excess of amounts expended for identical programs last summer. Reimbursements will not be paid in excess of the number of meals approved on your SCFP–1 form.

We are accepting completed forms from new applicants but *cannot approve* them until we are advised by the United States Department of Agriculture the amount of additional funds we are to receive over the amount expended for the 1971 Summer Program. We anticipate that by approximately May 1, 1972, we can advise you whether or not your program can be approved.

Sound planning at this time will help to prevent later problems with the special summer feeding programs, and we would like to remind you that new programs will be approved in the order of the date received.

FROM CONGRESSMAN VANIK

Department of Agriculture,
Office of the Secretary,
Washington, D.C., June 13, 1972.

Hon. Charles A. Vanik,
House of Representatives.

Dear Mr. Vanik: Thank you for your recent letter in which you requested information on the steps we were taking to re-position funds for the year-round Special Food Service Program.

As you know, the funds available to the various States under the statutory apportionment formula allowed some States to expand their year-round programs in fiscal year 1972 while other States did not have sufficient funds to maintain their year-round programs at the annual rate they achieved in the latter part of the fiscal year 1971. We did, however, assure this latter group of States that they need not cutback their existing program because we would be able to subsequently re-position funds to maintain their spring of 1971 expenditure rate.

Prior to the final re-positioning of funds, we did make tentative advances of funds to all States needing additional funds to maintain operations at the 1971 rate. The amount of the tentative advance was designed to meet their full needs for maintaining that rate. Included in those preliminary advances were $21,000 for Maine and $85,000 for Oklahoma.

There is enclosed a table showing the initial allotment of funds to the States under the 1972 Letter of Credit for year-round programs. The table also shows the projected additional funds required for those States needing additional funds to maintain their year-round 1972 programs at the spring 1971 rate.

We have just completed a fund roundup from States which, among other things, projected 1972 year-round funding needs. This roundup indicated that in 30 States, year-round expenditures in 1972 would be less than the level of the above funding commitments. For the remaining States, we, therefore, are in a position to finally re-position funds to cover their full 1972 year-round funding needs.

Sincerely,

Richard Lyng,
Assistant Secretary.

SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN, FISCAL YEAR 1972, ALLOCATION OF FUNDS FOR YEAR-ROUND PROGRAM OPERATIONS

State	Initial allotment under letter of credit	Additional funds needed to maintain April 1971 rate
Northeast:		
Connecticut	132,957	91,451
Delaware	78,953	25,300
District of Columbia	112,253	86,851
Maine	102,352	21,000
Maryland	170,076	
Massachusetts	248,512	91,892
New Hampshire	77,667	
New Jersey	286,850	49,294
New York	653,628	
Pennsylvania	698,178	
Rhode Island	72,552	
Vermont	84,082	14,352
West Virginia	341,372	
Southeast:		
Alabama	468,588	
Florida	620,209	265,000
Georgia	885,483	
Kentucky	487,033	
Mississippi	685,179	
North Carolina	1,109,406	
Puerto Rico		
South Carolina	329,322	
Tennessee	373,680	
Virginia	401,028	
Virgin Islands	4,382	31,654
Midwest:		
Illinois	627,090	
Indiana	347,392	
Iowa	309,477	
Michigan	426,162	
Midwest:		
Minnesota	343,488	199,921
Missouri	505,038	444,372
Nebraska	133,452	
North Dakota	127,787	
Ohio	629,820	326,088
South Dakota	140,373	
Wisconsin	293,621	424,026
Southwest:		
Arkansas	498,378	
Colorado	182,941	
Kansas	206,742	
Louisiana	501,432	
New Mexico	158,038	
Oklahoma	263,374	85,000
Texas	816,000	
Western:		
Alaska	68,526	
Arizona	183,814	
California	373,224	154,620
Guam	9,462	
Hawaii	87,934	
Idaho	90,797	
Montana	97,050	
Nevada	61,488	
Oregon	109,296	
Samoa, American	3,693	
Utah	87,020	
Washington	189,961	
Wyoming	70,627	
Trust Territory	13,663	
Total	16,380,902	2,310,810

92D CONGRESS
2D SESSION

H. R. 14896

IN THE SENATE OF THE UNITED STATES

JUNE 30 (legislative day, JUNE 28), 1972

Read twice and referred to the Committee on Agriculture and Forestry

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AN ACT

To amend the National School Lunch Act, as amended, to assure that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, and for other purposes related to expanding and strengthening the child nutrition programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 of the National School Lunch Act (42 U.S.C. 1761) is amended by adding at the end thereof the following:

"(i) Notwithstanding any other provision of law, the

II

Secretary of Agriculture is authorized to utilize, during the period May 15 to September 15, 1972, not to exceed $25,000,000 from funds available during the fiscal years 1972 and 1973 under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to carry out the purposes of this section. Funds expended under the provisions of this paragraph may be reimbursed out of any subsequent supplemental or regular appropriation hereafter enacted for the purpose of carrying out this section, and such reimbursements shall be deposited into the fund established pursuant to section 32 of the Act of August 24, 1935, to be available for the purposes of said section 32. Funds made available under this subsection shall be in addition to direct appropriations or other funds available for the conduct of summer food service programs for children."

SEC. 2. (a) The first sentence of section 13(a)(1) of the National School Lunch Act (42 U.S.C. 1761(a)(1)), as amended, is amended to read as follows: "There is hereby authorized to be appropriated such sums as are necessary for each of the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974, to enable the Secretary to formulate and carry out a program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit food service programs for children in service institutions."

(b) Section 13 (a) (2) of such Act is amended by inserting a new sentence at the end thereof as follows: "To the maximum extent feasible, consistent with the purposes of this section, special summer programs shall utilize the existing food service facilities of public and nonpublic private schools."

SEC. 3. The first sentence of section 4 (a) of the Child Nutrition Act of 1966 (42 U.S.C. 1773 (a)) is amended to read as follows: "There is hereby authorized to be appropriated such sums as are necessary for the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974, to enable the Secretary to carry out a program to assist the States through grants-in-aid and other means to initiate, maintain, or expand nonprofit breakfast programs in all schools which make application for assistance and agree to carry out a nonprofit breakfast program in accordance with this Act."

SEC. 4. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall until such time as a supplemental appropriation may provide additional funds for such purpose use so much of the funds appropriated by section 32 of the Act of August 24, 1935 (7 U.S.C. 612 (c)), as may be necessary, in addition to the funds available therefor, to carry out the purposes of section 4 of the National School Lunch Act and provide an average rate of reimbursement of not less than 8 cents per meal within each State during the fiscal year 1973. Funds expended under the foregoing provisions of this section shall be reimbursed out of any supplemental appropriation hereafter enacted for the purpose of carrying out section 4 of the National School Lunch Act, and such reimbursements shall be deposited into the fund established pursuant to section 32 of the Act of August 24, 1935, to be available for the purposes of said section 32.

(b) Funds made available pursuant to this section shall be apportioned to the States in such manner as will best enable schools to meet their obligations with respect to the service of free and reduced-price lunches and to meet the objective of this section with respect to providing a minimum rate of reimbursement under section 4 of the National School Lunch Act, and such funds shall be apportioned and paid as expeditiously as may be practicable.

SEC. 5. (a) The first sentence of section 9 of the National School Lunch Act is designated as subsection (a) of that section.

(b) The second through the seventh sentences of section 9 of the National School Lunch Act shall be designated as subsection (b) of that section and are amended to read as follows:

"(b) The Secretary, not later than May 15 of each fiscal year, shall prescribe an income poverty guideline setting forth income levels by family size for use in the subsequent fiscal year, and such guideline shall not subsequently be reduced to be effective in such subsequent fiscal year. Any child who is a member of a household which has an annual income not above the applicable family-size income level set forth in the income poverty guideline prescribed by the Secretary shall be served a free lunch. Following the announcement by the Secretary of the income poverty guideline for each fiscal year, each State educational agency shall prescribe the income guidelines, by family size, to be used by schools in the State during such fiscal year in making determinations of those children eligible for a free lunch. The income guidelines for free lunches to be prescribed by each State educational agency shall not be less than the applicable family-size income levels in the income poverty guideline prescribed by the Secretary and shall not be more than 25 per centum above such family-size income levels. Each fiscal year, each State educational agency shall also prescribe income guidelines, by family size, to be used by schools in the State during such fiscal year in making determinations of those children eligible for a lunch at a reduced price, not to exceed 20 cents, if a school elects to serve reduced-price lunches. Such income guidelines for reduced-price lunches shall be prescribed at not more than 50 per centum above the applicable family-size income levels in the income poverty guideline prescribed by the Secretary. Local school authorities shall publicly announce such income guidelines on or about the opening of school each fiscal year and shall make determinations with respect to the annual incomes of any household solely on the basis of a statement executed in such form as the Secretary may prescribe by an adult member of such household. No physical segregation of or other discrimination against any child eligible for a free lunch or a reduced-price lunch shall be made by the school nor shall there be any overt identification of any such child by special tokens or tickets, announced or published lists of names, or by other means."

(c) The eighth through the thirteenth sentences of section 9 of the National School Lunch Act shall be designated as subsection (c) of that section and the last sentence of such subsection shall be amended by deleting the phrase "under the provisions of section 10 until such time as the Secretary" and inserting in lieu thereof the following phrase "under this Act until such time as the State educational agency, or in the case of such schools which participate under the provisions of section 10 of this Act the Secretary".

SEC. 6. The first sentence of section 5(a) of the Child Nutrition Act of 1966, as amended by section 2 of Public Law 91-248, is amended by deleting the phrase "for the fiscal year ending June 30, 1973, not to exceed $15,000,000 and for each succeeding fiscal year, not to exceed $10,000,000" and inserting in lieu thereof the following phrase: "for each of the three fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, not to exceed $40,000,000 and for each succeeding fiscal year, not to exceed $20,000,000". To assist the Congress in determining the amounts needed annually, the Secretary is directed to conduct a survey among the States and school districts on unmet needs for equipment in schools eligible for assistance under section 5 of the Child Nutrition Act. The results of such survey shall be reported to the Congress by December 31, 1972.

Sec. 7. The first sentence of section 10 of the Child Nutrition Act of 1966 is amended by inserting before the period at the end thereof the following: ": *Provided*, That such regulations relating to competitive food service shall permit the sale of nutritious food through vending machines in participating schools and service institutions where the proceeds of such sales will inure to the benefit of the schools or of organizations of students or parents approved by the schools and such sales will not substantially interfere with the programs so authorized".

Passed the House of Representatives June 30 (legislative day, June 29), 1972.

Attest: W. PAT JENNINGS,
Clerk.

92d Congress }
2d Session }

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HALF A LOAF:
FOOD ASSISTANCE IN FISCAL YEAR 1972

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